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SCIENTIFIC MANAGEMENT IN THE PUBLIC WORKS OF CITIES

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Boston

THERE has been so much discussion during the past few years of the effect of the introduction into commercial and industrial enterprises of systems of scientific management, so-called, and the promises of increased efficiency under scientific management seems so alluring to many minds that it is not unnatural to find people inquiring whether scientific management may not be introduced successfully into the government of the cities.

It must be apparent, however, to any one possessed of a working familiarity with the combination of municipal governments that such conditions are so unlike those which exist in private industrial and commercial enterprises that even though it be assumed that scientific management will succeed in private enterprises it does not necessarily follow that it would succeed if applied to the public works of cities. It is true, however, that there is in general more need for the introduction of scientific management into the government of cities than there is for its introduction into the conduct of private enterprises, as no one disputes the fact that the government of cities is less efficient and more extravagant than the conduct of private enterprises.

Employers in private enterprises who have become convinced of the merits of scientific management are finding that their employees as a rule do not take kindly to the introduction of improved methods. Nevertheless, if the employer in a given case can convince his employees that

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—EDITOR.

scientific management is for the advantage both of the employer and employee, he has no difficulty in introducing and maintaining the principles of scientific management. The head of a city department, however, would find great difficulties, for not only must he convince himself and his employees that the system is of mutual advantage, but he must also convince the electorate that the system is a proper one for the city to adopt. It would be harder for the head of a municipal department to convince his employees that scientific management is a good thing than it would be for the head of a private establishment to convince his employees, for the head of a private industrial establishment could within a reasonable time eliminate all those who opposed the introduction of the system. This is precisely what the head of a municipal department would probably fail to do. The head of the private establishment could discharge a man summarily who objected to the introduction of labor-saving principles of management, but the head of a municipal department would find that he would have to discuss the case not only with the recalcitrant employee but also with the labor unions of which such employees were members, or with which they were affiliated, also with the friends and relatives of such employees with their political representatives, with the mayor of the city and finally with the public, which can vote the administration in or out, as it pleases.

For a thorough understanding of the subject it is necessary to realize the peculiar conditions which create the working force of the American city. The members of such forces are almost entirely the creation of the political necessities of different municipal administrations and are organized primarily as a political organization, efficiency of work being a secondary consideration. The working force of the American city is a compact body of voters that can be depended on at election time to favor the candidates who promise the most benefits to their organization in the form of increased wages, easy jobs and shorter working hours. This body also controls the votes of an even larger number of relatives, friends and dependents. As an example, Boston has a working force of perhaps 10,000 permanent employees, whose tenure of office does not change with the succeeding administrations. The day labor force constitutes by far the greater proportion of this body. These employees with their relatives, friends, and other interested persons constitute a solid political force of probably 25,000 voters.

In a city like Boston, with an ordinary voting strength of from 60,000 to 80,000 votes, on election day it is easy to perceive the preponderating influence of the city laborer. This force is without doubt the most powerful factor in the political organization of Boston, or of Massachusetts.

Scientific management reduced to the simplest and most easily understandable form is simply the introduction of business methods. Various

writers have attempted to reduce such methods to a certain number of elementary principles, the number depending on the idea of the individual treating the subject. No author so far as I am aware has created any new idea in industrial management, but has simply formulated in such form as may be understood by the average employer those principles, the application of which has resulted in the greatest efficiency in all features of industrial activity. It is the purpose of the present article to point out in some detail the difficulties in introducing business methods into the conduct of municipal work.

In attempting to consider the subject one is confronted at the outset with a realization that adequate discussion of the details of the subject is beyond the limits of the space that can be allowed. The complex organization of the modern municipal corporation, comprising as it does in some degree nearly every form of industrial activity, renders any complete discussion of the subject out of the question in the limits of a magazine article. The following discussion will, therefore, be confined to a discussion of such branches of municipal enterprises as are subject to the principles of scientific management as laid down for industrial enterprises, that is, to such municipal enterprises as are fairly comparable with the operations of private employers doing similar work.

Such activities are best illustrated by those branches of municipal service that have to do with the safety and convenience of the community, as exemplified in the construction and maintenance of sewerage systems, water works, paving, bridges, street cleaning, and the collection and disposal of city refuse.

Work of the nature outlined is always subject to contract methods, and when so done is removed from the consideration of this article and placed under conditions which govern private enterprises. This discussion will be confined to the conduct of such branches of municipal activity as are done directly by employees of the city departments.

In investigating the matter it will be found that various methods of increasing the production of the human machine, such as varying scales of wages, piece work, the employment of a pace-maker, bonuses for extreme individual efficiency or for increased production, are not applicable to municipal work, for reasons altogether beyond the control of the director of such enterprises. It is plain even to the casual observer that no radical changes in industrial management are undertaken without incentive, and the greatest incentive for the introduction of scientific management is the direct financial return from increased efficiency. It is also clear that this incentive does not ordinarily exist in municipal enterprises, the municipal water department being the notable exception. There is only one side to the municipal ledger and such standards of municipal efficiency as exist are unsatisfactory as they vary in different cities and even in the

same city. As a matter of fact, the lack of any financial measure is the greatest handicap to the introduction of improved methods.

Scientific management assumes at the outset a perfect knowledge of the duties to be performed by the supervising official, and this is a condition that is very seldom realized [in municipal enterprises. The municipal superintendent is in the greater majority of cases merely a figurehead, the actual work of supervision being performed by subordinates. The installation of a suitable superintendent for municipal activities is the exception, and whenever such a person is secured his tenure of office is usually brief, owing to political conditions. Moreover, in those cases where untrained men of exceptional natural ability are secured under political condition, their tenure of office is usually so brief as to prevent the absorption of sufficient knowledge of their duties to direct the enterprises over which such supervision exists, and the municipality is placed in the position of paying for the partial education of the official, only to lose his services at such time as he begins to become of value.

Each new administration, under whatever conditions it assumes authority for the municipal management, is handicapped by pre-election promises, involving the disposal of the more lucrative and more responsible offices of the municipality as a reward for the political services of either of the appointee to office or of his influential and powerful friends. Even in so-called "reform" administrations such obligations are not entirely unknown.

To secure efficiency, it is necessary that the department head has not only honesty, but previous training, natural ability, tact and a knowledge of political conditions. Competent persons willing to accept a municipal position are exceedingly hard to find. Moreover, there are not in the ordinary municipality sufficient positions, if such an official is found, to satisfy all the promises that have been made by the political managers of the successful administration and the official assuming office with the best intentions finds that he is expected by his superior officer, the mayor, to make it his first duty successfully to cultivate two jobs where only one grew originally. The pressure exerted from such sources results in the appointment of unnecessary employees in the higher paid grades, and in an overhead cost for municipal work, which alone is sufficient to prohibit any successful competition with the cost of work done under private control.

It is an unfortunate fact that municipal finances are matters almost without interest to the average citizen, who views the padding of the municipal payroll without interest, except as he may be influenced by envy for the fortunate recipients of the municipal bounty.

While, without doubt, the greatest handicap to the introduction of scientific methods in municipal work is lack of a financial stimulus, there is a second consideration nearly as important, to wit, the lack of an ade-

quate basis of comparison by which the work of the officials of succeeding administrations may be judged, or by which the work of the same official in different years of his administration may be compared.

The greatest, perhaps the only incentive to efficient municipal work is public opinion and unfortunately, except in cases of extreme conditions, public opinion, as regards the work of the city official, is very largely an artificial opinion, created by interested persons. It is dependent, in a very great degree, upon the friendship or enmity of the city hall reporter. The average citizen knows very little of conditions beyond those existing on his small street or in his neighborhood, but a particular citizen with influence in the community and sufficient talent for gaining the attention of his fellow-citizens can with little difficulty spread impressions, either favorable or unfavorable, to the work of city officials, entirely at variance with the facts, and place the official, however efficient he may be, in a false position with no means of disproving accusations which have been made.

From the general conditions already outlined, let us proceed to a consideration of the various artificial limitations controlling the actual work of city employees.

In the first place, employees of municipal departments cannot be induced to perform extra amounts of work beyond the amount to which they have been accustomed except upon pain of suspension or discharge. The matter of public sentiment prevents a municipal superintendent from securing such efficiency as obtained in private employment through disciplinary measures. The municipal employee, under the protection of civil service rules, is enabled to place the burden of proof for inefficiency upon the supervising official. Direct evidence to substantiate such charges is exceedingly difficult to obtain and when sufficient evidence is obtained to prove clearly inefficiency, the friends of the offender immediately descend upon the supervising official with promise of future good behavior and increased efficiency, and, if such promises do not have the effect of immediate reinstatement, tactics are changed so that the official head of the administration is threatened with the wrath of such persons at the next election. These tactics sooner or later usually obtain the reinstatement of the inefficient employee under such particularly aggravated conditions that he feels, properly perhaps, that he has secured a victory over his superior officer and that consequently he is entitled to render as little for the future service as he may see fit.

Again, the mawkish sentimentality of the general public refuses to sanction the efforts of the city official in securing a more efficient force through the discharge of its more inefficient members, such as have been incapacitated through disease, age, mental infirmities, or similar causes. Not only is the supervising official handicapped by each sentiment, but

there seems to be a general sentiment in the community that municipal employment is the proper place for the disposal of the more inefficient members of society, especially for such inefficient members as are incapable of supporting themselves in private employment. The municipal force is considered an asylum wherein a living may be secured by such persons without the stigma of charity being attached to the compensation received. The result is that the city secures a working force of more than an average degree of inefficiency and the force, such as it is, in practice, has its natural speed reduced to the limit of its most inefficient member.

The bonus system is not applicable to the municipal employee, nor is the piece-work system applicable, for the influence of the labor unions removes these incentives to extra effort from the list of possibilities. Cities find it practically impossible to pay varying rates of wages to men engaged in similar employment. Political pressure would immediately be asserted in behalf of the employees who were paid the lower rate, and the head of the department would immediately be compelled to establish a flat rate for all persons similarly employed, as he could not withstand the constant pressure which would be put upon him. Likewise, the piece-work system would fail because of the influence of the labor unions who exercise such a powerful influence in municipal politics that they could prevent the introduction of that system. Nor would the labor union take more kindly to the introduction of a system of differential rates of wages, based upon actual records of work performed by the various employees, as they regard this system as a species of "slave-driving" under which the weaker members would be forced to the wall in competition with the stronger members of society. The truth is that labor unions generally act upon the assumption that it is their function to create and maintain as many jobs as possible, believing that this attitude is necessary in order to counteract the influence of the employer, who, they maintain, is constantly striving to reduce the number of jobs to a minimum.

It is apparent, therefore, that the principles of the labor union and the principles of scientific management are diametrically opposed, the latter seeking to get the maximum efficiency for a minimum cost, while the labor unions seek to get the maximum of compensation for a minimum of effort. Generally speaking, this is also the principle upon which municipal employees proceed, and, what is worse, the public seems indisposed to take issue against this view. The citizen who sees city laborers idling in the public streets and who would not tolerate idleness in the employees of his own business generally makes no effort to increase the efficiency of municipal labor. He seems to regard existing municipal conditions as practically impossible of improvement. Unfortunately, too, whenever the public has been aroused by a disclosure of the inefficiency

of municipal labor and a reform administration has been elected, the efforts of the reform administration with respect to labor have resulted in defeat at the succeeding election, the defeat being due to the influence of the employees and their friends, actively assisted by the labor unions. Under such circumstances both the ordinary citizen interested in municipal efficiency and the head of a municipal department find it difficult to give themselves up to any constant effort to increase the output of municipal labor.

The law itself opposes obstacles to the introduction of scientific management into the business of municipalities. Civil service laws have no doubt improved the administration of cities, but they have not been without their defects. They were established for a two-fold purpose. First, to prove that city employees should have some qualifications for their work, and second, to protect such employees in office and to prevent their discharge for political reasons, but more attention seems to have been paid to protecting city employees in office than to the securing of efficiency. A private employer can immediately discharge an employee who is found loafing, but experience has shown that it is almost impossible to procure the discharge of a public employee protected by civil service rules, except for an offense involving moral turpitude.

However attractive the civil service theory may appear, it is a fact that civil service regulations are not designed to secure the maximum efficiency, although they may act to prevent the minimum of efficiency. Undoubtedly the system, as at present enforced, is one of the greatest protection for the taxpayer, as well as for the municipal employee, that so far has been introduced into municipal service. On the other hand, the system is defective as it does not determine the personal characteristics of the civil service employee, as regards honesty, loyalty to his superior, or disposition to work.

An illustration of such defects in the civil service system recently came to the writer's attention in his duties as an assistant examiner. One examination paper coming under his notice was particularly well prepared, the composition was almost perfect, the handwriting was of copperplate type, the mathematics received the maximum mark, and the other subjects indicated almost the same degree of efficiency. The personal experience paper showed the applicant to be of exemplary habits. The suspicion of the examiner was aroused to find why such a high grade man was an applicant for such a comparatively unimportant position. In reading over the experience sheet he recognized the applicant as a former subordinate, whose mental condition absolutely prevented him from being of any use in the position which he sought, or any other; but it did not prevent his passing an almost perfect examination. This example is of course an extreme case, but the principle applies in a lesser degree to a

great number of employees selected under the system. Even though the present system be the best possible for modern political conditions, it does not secure such a class of employees as may be easily obtained by industrial corporations working under private control.

Again, the law interferes by limiting the hours of labor of the employee and in some cases by establishing a minimum rate of compensation at a higher rate than that paid by the private employer for similar service. The effect of such restrictions is in some cases at least responsible for a curtailment of output, as compared with private work, of more than 40 per cent, assuming the same degree of efficiency for the municipal employee as for the man in private employ during working hours.

A consideration of such handicaps as are placed upon municipal work by statute or ordinance, together with the inefficiency of city labor from other causes, will show a degree of inefficiency of from 60 to 80 per cent as compared with labor forces in private employ. For the greater part of such inefficiency the municipal superintendent is in no way responsible.

In some of our cities, and to a greater extent in foreign cities, the system of old age or service pensions has been introduced as an incentive to efficiency. The excuse for pensions for municipal employees is the incentive which they offer to secure the continued employment of especially efficient men, and that at the end of his period of efficiency he will be suitably taken care of. It is anticipated that with such a prospect the municipal employee will realize the danger of being deprived of the opportunity for support without work in his old age and therefore prove a particularly efficient employee. As a matter of fact, so far as observations have extended, the system works exactly in the opposite manner. No increase of efficiency has been observed on account of a consideration of future benefits. The fact is that the municipal employee who violates rules or regulations, or who has proved to be particularly inefficient, is made an object of sympathy and regarded as in a great degree exempt from discipline.

The introduction of such municipal pensions has in practice decreased the efficiency, for they are based on specified periods of service, and once the period has begun to run it is found difficult to remove an employee who has in a certain sense an equitable interest in the pension which he will receive at the end of the period, if he is not removed. Take the case of a man who would be eligible to a pension after fifteen years of municipal service, either good or bad, and has committed an offense after he has served ten years, of the period, which would justify his removal from the service. His friends immediately raise the cry that he would be entitled to a pension after five years more of service and that it would be a shame to remove him and thus deprive him and his dependents of the benefits of his ten years of good service. Such appeals are very hard

for the responsible officer to resist, and reinstatements are the rule in such cases. In extreme cases, where reinstatement is refused, the offender simply has to wait for the succeeding administration to restore him to his privileges.

The veterans' preference laws also impose a formidable barrier to efficient work in municipalities. These aged men are employed in the first instance, not because of their qualifications for office, but because of the service rendered to their country at the time of its peril. They are not expected to do a full day's work, and their presence under these circumstances has a demoralizing influence upon the entire force. Moreover, it is now practically impossible, in some states, to remove a veteran from office even when he has been guilty of grave offenses. In Massachusetts municipalities, for example, a veteran cannot be removed except after a public hearing by the city council and a vote of dismissal by the council. No case has yet come to my knowledge in which a veteran has been removed since the law was adopted.

In the matter of the purchase of supplies the municipality is handicapped as compared with the private individual or corporation. Although payment is absolutely certain, it is a fact that the city usually pays a higher price than the private buyer, and in addition very frequently receives an inferior article. It is a recognized fact that it is the right of every citizen of a municipality to obtain such share of the municipal patronage as can properly be obtained, and that the best method to obtain fair conditions is by competitive bidding for supplies and municipal equipment. While the method of competitive bids is, on the face of it, a fair one and probably as good a system as can be devised, it does not in all cases result in the greatest economy. The privilege of a private employer to use the quotations of one seller in securing lower prices from another, is of great financial advantage. While the system of competitive bids usually results in obtaining low prices for a period of time, in the long run it may result in the discouragement of the more responsible bidders, and the introduction of an irresponsible class, who will take chances that municipal officers will accept their goods rather than indulge in the trouble necessary for rejection after the contract has been made. Later the system very often develops into a working agreement or actual collusion between the surviving firms who bid on the particular articles purchased. In such cases as responsible firms or new bidders enter competitions after the system has been developed, it is often found that the long experience of the older bidders has resulted in such friendships among the purchasing subordinates, or in the inspection force, as to prevent successful competition by outsiders.

The category of municipal conditions which prevent the introduction of scientific management, in the generally adopted term, might be continued

to a much greater length. Sufficient has been presented to show that such systems as are applicable to private industrial operations are not applicable to municipal work. The truth is that scientific management can be introduced into municipal government only to the extent that politics is eliminated. If the public could be induced to take the view that the affairs of municipal corporations should be conducted on the same principles that govern the conduct of private business, the principles of scientific management could be applied to the administration of city affairs, but politics and scientific management will not mix, any more than oil and water will mix. It is true that here and there, among the various departments of a city, heads can be found who have made improvements to reduce labor costs, but even in such cases it will be found that further extension of the principles of good business management has been prevented by the influence of politics and in many other departments it will be found that politics have permeated the entire force and has put good business management out of the question.

Up to date the most successful attempt to introduce the principles of scientific management into the conduct of municipal government has been found in the introduction and extension of the contract system. The adoption of the contract system, however, is simply the recognition of good business management on the part of the contractor, for which the city pays a premium, rather than pay the excessive cost of work performed by municipal employees. This very fact illustrates the difficulty of securing scientific management in the conduct of municipal government, for it is generally conceded that contract work can be done as efficiently as the work performed by the city labor, at from one-half to three-fourths of the cost of the same amount of work when performed by city labor, and still allow a reasonable margin of profit to the contractor. Yet the labor unions are violently opposed to the adoption of the contract system by cities in the United States and seek everywhere to break it down and to replace it by municipal labor.

The introduction of the contract system is prevented by the cry "cheap labor and poor work." The general public accepts such arguments without consideration and does not realize that as regards the labor situation, it is governed by the law of supply and demand, and that the employees of contractors are as much entitled to employment for the support of their families, as a municipal employee, or that the municipal employees constitute an especially privileged class. As regards the quality of work, there is no question that contract work, performed under suitably prepared specifications and with rigid inspection, can be made better in every way than the work of the ordinary municipal force.

In view of the foregoing, the reader may consider that attempts to secure economy in the work of city employees is an altogether hopeless

task. Such, however, is not the fact. Even under present conditions, great economies are possible to the competent, enthusiastic city official; particularly are such opportunities open to the officials of a new administration. Such men usually find large numbers of employees on the payroll, at a high rate of wages, who are retained for political reasons and who perform practically no beneficial service. It is comparatively easy to secure assent to the discharge of such individuals and the resistance which the official can offer to filling such vacant places with the supporters of his own administration constitutes the measure of saving which he can accomplish in the work of his labor force. The official will always, find that there are many other opportunities for substantial savings, although not by the introduction of scientific methods as they are generally understood.

As a concrete example, a condition which came under the writer's jurisdiction relating to the cost of teaming may serve as an illustration. On taking charge of a city department he found that the system had grown up whereby the city hired teams of private contractors as a matter of petty patronage. A list of nearly one thousand favored contractors had been formed, few of whom owned teams, although they were enabled to hire teams of legitimate contractors, place them in city employ at a rate considerably higher than the market rate, and receive the difference between the price paid to the owner of the team and the price paid to them by the city. Without special effort, by the simple expedient of dividing the city into districts, and submitting the teaming service to competition under suitably drawn specifications, the cost of hiring teams was reduced from an amount in excess of \$430,000 to approximately \$120,000 per year, a saving of approximately \$310,000 per year, without detriment to the service and with a normal increase in the amount of work done. Similar opportunities presented themselves which enabled the work of the department to be accomplished at a cost of nearly one million dollars less than during the last year of the previous administration. In the matter of teams, the expedient was so simple and so fair, both to the public and to the teaming contractors, that the former system has never been reverted to.

In order to accomplish such economies, the official must realize that in all human probability his tenure of office will end with the administration with which he is connected, and that his consideration should be the welfare of the public which he serves and his own reputation at the end of the administration rather than the retention of his position under the succeeding administration. City officials, during the past few years, have been greatly assisted in the efficient performance of their duties by the various municipal bodies which have been organized in the larger cities to supervise and investigate municipal conditions; through the me-

dium of such bodies the worst existing municipal abuses have been exposed and business methods have been, to some extent, made possible, particularly has the excessive cost of municipal work been made the subject of exposure in elaborate reports, and systems of accounting to show the actual cost of municipal work in comparison with private enterprises have been installed. In general, however, such systems have not been utilized to their fullest possible extent for the advantage of the city, although their existence prevents the abuses which at one time existed. Laws framed with the object of separating the legislative from the executive departments are of great assistance as giving a great degree of independence to the municipal official in the expenditure of city funds. On the whole, although it seems impossible at present to introduce business methods in their entirety into city operations, substantial progress in that direction is being accomplished.

THE BOSTON CITY CHARTER

GEORGE R. NUTTER¹

Boston

IT IS impossible to tell of the workings of the present charter of Boston, without some account of the political framework which preceded it, and of the conditions and circumstances which led to the change.

Prior to 1910, Boston had the old-fashioned form of government, consisting of a mayor, a board of aldermen, and a common council. The board of aldermen had been subject to various changes, and just prior to 1910, it consisted of thirteen members, nominated by districts, but elected at large, each voter voting for seven, and the thirteen receiving the highest number of votes constituting the board. The common council had three members for each of the twenty-five wards of the city. The ballot was long. All candidates were nominated in primaries of the national parties, carefully regulated by statute, and it was thus impossible to combine on any basis of broad citizenship, irrespective of party. The average citizen could not follow intelligently the working of this cumbersome machinery. There was an uneasy feeling in the community that waste and extravagance, if not worse, were flourishing; but nobody knew what to do about it, and no relief seemed in sight.

Then by a strange accident, when it was darkest, relief came. John F. Fitzgerald was elected mayor in 1905. A year of his administration set the community to thinking, and with a view, as his critics said, of forestalling an investigation by the legislature, Fitzgerald proposed a finance commission to be composed of seven citizens appointed by the mayor on the recommendation of various commercial bodies. This scheme was taken up by the Good Government Association; its adherents carried through the plan, but framed in a really effective way, with sufficient money for expenses and for counsel and the legislature gave the commission power to compel the attendance of witnesses. The commercial bodies rose to the occasion, and a capable commission under the leadership of

¹For some time prior to 1905 Mr. Nutter was a member of the executive committee of the Public School Association, which was a non-partisan, non-sectarian organization to secure the election of suitable persons to the school committee, and later was chairman of the committee. The Public School Association is still an important factor in municipal matters here, but in 1905 on becoming a member of the newly formed Good Government Association, Mr. Nutter resigned from the Association. Since then he has been on the executive committee of the Good Government Association. Mr. Nutter was also a member of the executive committee of the Committee of One Hundred, which was organized to procure the passage through the legislature of the new charter recommended by the finance commission, and later had charge of the referendum on the present charter.

Nathan Mathews, himself the mayor of fifteen years before, sat for eighteen months, and disclosed a state of extravagance and waste that stirred the community. As one result Fitzgerald went down to defeat in 1907.

The finance commission reported the draft of a charter to the legislature. Although politicians of both parties were against it, a committee of one hundred worked effectively for its passage. It passed the legislature. A choice between two plans was referred to the people by the legislature, and after an interesting fight, in which for the first time personalities were absent, plan two, which embodied the advanced ideas of the finance commission was adopted, and the charter became effective, much as the commission had drafted it.

The mayor was required to appoint as heads of departments only well recognized experts, but from the miscellaneous character of Mayor Fitzgerald's appointments previous to the new charter it was feared that the future mayor might not himself be an expert in recognizing experts, and there was a distinct feeling that somewhere there ought to be a power of confirmation. Many plans had been offered to the finance commission for such confirmation. But the final draft, and the charter when finally enacted, provided that the mayor should file with the civil service commission of the commonwealth a certificate that his appointee was a recognized expert for the position, and if within thirty days the commission filed with the city clerk their certificate that after careful inquiry he was found qualified, the appointment took effect. If nothing was filed, the appointment was void.

This provision, according to some, violated the principle of home rule. Some critics thought the child would never learn to walk in leading strings; others disliked to see it, for the want of some kind of leading string, fall into the pit. The latter view prevailed. There was a certain logic in the choice of the civil service commission, even though a state body, for this provision compelled the heads of the departments to measure up to the standards of the same body that passed upon the qualifications of subordinates, and as it will appear later, it played an important part in the first year of the charter.

The mayor likewise took the initiative in framing the budget. His term was made four years, with a mild attempt at recall at the end of the second year.

Both the board of aldermen and the common council were swept away, and in their place a single council of nine members was established, three elected each year for a term of three years. The council had the power to decrease the budget, but could not add to it; it could not initiate appropriations, but it could originate loan orders as well as pass on loans suggested by the mayor or originating in the council. This was its chief, and practically its only, effective power, though it also had the power to consolidate departments.

Party primaries were abolished. Party designation on the ballot disappeared likewise. Candidates were nominated by petition of 5000 registered voters, and placed on the ballot without designation, and in an order determined by lot.

There was added a unique and in many respects entirely novel agency in the shape of a permanent finance commission, composed of five members appointed by the governor, the chairman receiving a salary of \$5000, and the remaining members serving without any compensation whatever. Its duties were to investigate the departments, to hold hearings and to report from time to time, but it had no participation in the government. The idea of course came from the success of the first commission, and the fact that the people needed a special body to watch the representatives selected and chosen by themselves excited no comment. It was apparently assumed that such a step was necessary.

The new charter therefore sought to make possible a short ballot, few officers, non-partisanship, and a government of experts, to the end that the people might be able to follow what was done, and to act intelligently in passing judgment on results.

The most important officer by far under the new charter is the mayor. For the first election in January, 1910, the Citizens Municipal League, a new municipal party, formed by the Committee of One Hundred, nominated for the mayoralty James J. Storrow, who as head of the newly constituted school committee, when the number had been reduced from 24 to 5, had served the city in an important position. His opponent was Fitzgerald, who after his first term had lost the election in 1907. The contest between the two, aided by the fact that the entire number of nine councillors had to be elected, and the further fact that it was the first election under the new charter, brought out a record breaking vote. Nearly 85.5 per cent of the registered voters, the highest in fifteen years, went to the polls. The contest was very close, and it was decided, as it had been in 1905, by the presence of a third candidate, the mayor of the interregnum from 1907 to 1909, who polled less than 2000 votes, but enough probably to defeat Storrow. Fitzgerald won, and thus became the first mayor under the new charter for the ensuing four years.

The election of Mayor Fitzgerald dampened the hopes of the supporters of the charter. The prospect had been bright for having at the head of affairs in the new forward movement a strong and capable executive; but with the election of Fitzgerald it seemed probable that the broad constructive possibilities of the charter would not materialize. Only the preventive features of the charter would be given a perfect trial and all that could be done would be to mark time until another election. And so in substance it has proved. Mayor Fitzgerald is in some respects a remarkable politician. Consciously or unconsciously he is a past master

in the art of winning a crowd. His versatility catches the unthinking, his mental agility passes for cleverness with the dull witted, and by skilful management, which is rather easy in the case of Boston, where the citizens are sharply divided geographically, as well as by race and wealth, and are therefore sensitive to psychological appeals, he can hinder his opponents from combining. But he is superficial. He has no real standard of public service. While for the present he is at the head, he really belongs to a vanishing type. As soon as the standard rises in the mind of the public, his type will be impossible, and the community will turn to a very different leader. It was not to be expected that such an executive would rise to the real opportunity of the charter. It was enough if the charter could prevent him from repeating the history of his first administration of 1905-1907.

The first matter that arose was his appointment of heads of departments. This was of course his most important function. Under the old régime, members of the "machine" obtained the positions. Politics governed the choice. It was an accident if the head of the department knew anything of its requirements. Any member of the machine was equally fitted to superintend the streets, manage the penal institutions, or run the bath department. On the other hand, under the charter, an expert had to be appointed, and this involved not alone honesty but efficiency on the part of the candidate. The mayor started in in the old way, and came almost immediately up against the civil service feature of the charter.

Sufficient to say that in the first eight months the mayor's appointments fared as follows: He made 62 appointments to paid and unpaid positions, of which 37 were to paid, and 25 to unpaid positions. Of the appointments to paid positions, 23 were approved by the civil service commission, and 14 were not approved. Of the appointments to unpaid positions, 21 were approved, and 4 not approved. Of 22 new appointments to paid positions as heads of important departments, 15 according to a report of the finance commission appear to have been made as rewards for political support, and of these 15, 12 were not approved.

The result has been that on the whole the appointments that have finally become effective have been far better than under the former system. How much better they might have been, if the appointing power had lived up to the ideal standard possible under the charter, instead of being forced to consider only whether his candidate could "get by," no one can say. Such a possibility will not arise until a mayor of another type administers affairs. But for the first time in over ten years, there has really been an engineer at the head of the street department—or as it is now called, the department of public works—in place of a dispenser of patronage. Various of the departments have been consolidated, by the city council under authority given by the new charter, and while it

would be too much to say that matters are not susceptible of improvement, they are much more satisfactory than before. The preventive feature of the civil service commission was thus put to the test and not found wanting.

The second important matter which has occurred during the present administration is its attitude toward the city finances. There is of course great pressure upon the mayor to accomplish certain public improvements. Some of this pressure arises from the growing desire of the community that more and more things be furnished by a municipality—a disposition the end of which is not yet in sight. Some of the pressure, however, in the spending of money and in the creation of new things for which money is to be spent, comes from the followers of the administration who desire contracts or employment. It is a matter of skill to yield to this pressure of one's friends and yet at the same time not increase the tax rate and encounter the counter pressure of the taxpayer. The only way really of doing this is to throw as much of the expenditure as possible into loans, which postpone to another day and another administration the obligation of payment, and enable the present administration to spend much more money without noticeably raising the tax rate.

There has been a determined effort under the new charter by the city council to adopt a more business-like attitude toward loans, and in particular not to allow loans to be contracted for current expenses, but to compel the ordinary expenses of the year and such matters as are regularly recurrent to be paid out of the tax levy. While at times and in spots the present mayor has seemed to sympathize with this financial policy, his course has not been uniform, and it can be said on the whole that he has been opposed to it. He has therefore been brought at various times into conflict with the city council over the question of loans, and his desire for loans has been to a considerable extent checked by the power which rests in the council of confirming loans. This is one illustration of the way in which the council has performed its function, and in this way its preventive power has been of value.

With the finance commission it was to be expected that the mayor would come into conflict, for two members out of the five appointed by the governor were members of the old finance commission which criticised his former administration. One of his first acts was to propose the creation of a bureau of municipal research on the New York plan, and his budget cut down the amount which the finance commission asked for its expenses. There has been more or less of a running fire of criticism between the finance commission and the mayor during the whole of his administration. The commission is of course without any power to enforce its recommendations, and in the long run the only tribunal that can decide whether its criticisms are well founded or not is the electorate,

which has not yet been called upon to give any decision, although under the modest recall provision of the charter there was a significant majority vote in favor of submitting to the voters the question of the recall of the mayor.

An illustration of the manner in which the executive powers granted to the mayor may be used is afforded in the attitude of the mayor toward the present lighting system of the city. There was in existence a contract for the lighting of the city, with what is known as the Rising Sun Street Lighting Company, a corporation operated by the United Gas Improvement Company of Philadelphia. This contract existed at the time of Mayor Fitzgerald's first administration, and came to an end in 1906. Since that time it has been renewed for short periods awaiting some final disposition of the matter. Both the finance commission and the council have come to the conclusion that the cost of lighting can be materially reduced by the abrogation of the contract, and finally in November, 1911, bonds to the amount of \$300,000, previously authorized by the mayor and council, were sold by direction of the mayor, the proceeds of which were to be used by the city in beginning a lighting system of its own, but although the proceeds of this loan have been in the treasury now for over a year and a half and the city has been paying interest on the loan, the mayor has refused for some reason which the community has not yet fathomed, to apply the proceeds toward street lighting, and the contract with the Rising Sun Street Lighting Company is still going on.

But there is after all no way in which the full executive powers granted to the mayor can be restrained or enforced, except through the force of public opinion. This is as it should be. If the citizens elect a man who does not administer the affairs of the city properly, there is no reason why the responsibility should not rest with the electorate and the city pay the penalty.

It was not supposable that the present mayor would have much sympathy with the present charter, and a significant symptom of his lack of sympathy is shown in the efforts which he and the other members of the machine have made to change the charter. Each year at the legislature a number of bills have been introduced to alter the charter, particularly to create a larger council to restore ward or district representation and to render it easier for candidates to be nominated. Thus far by the united efforts of various citizens' organizations these changes have been defeated.

So far as the mayor is concerned, therefore, it can fairly be said in conclusion that the city has not made much progress under the new charter, but on the other hand the preventive measures of the charter have proved to be efficacious, and have checked a recurrence of many of the evils of his first administration.

The history of the council under the new charter has been as satisfactory as could have been expected. The position of city councillor is not one of much distinction. The number of councillors was in itself a compromise between those who wished a large council and those who wished the smaller form of commission government. Thus they avoided the disadvantages of the large council without, perhaps, acquiring the advantages of the small. The powers of the council are very limited, and the result has been that it has been difficult to get men of large affairs to run for the position of councillor. At the first election under the charter, the Citizens Municipal League found difficulty in obtaining candidates. Under these conditions, the record that the council has made has been very satisfactory. The majority during the whole period has been made up of candidates of the Citizens Municipal League, recommended by the Good Government Association, and the machine has never had even a fair working minority in it. While there has been some playing at politics and more or less riding at windmills by some councillors who had more zeal than stability in their make-up, the council has developed several valuable members—notably its present president, Thomas J. Kenny—who have taken the lead in formulating the one thing for which it has stood and which thus far has distinguished its administration. This has been the financial policy of the city with regard to loans.

The council has steadily pursued the policy of compelling all annual recurrent matters of indebtedness to be paid for out of the tax levy and not to be raised by loan. It has likewise been able to look upon the city as a whole and to treat all the different districts with reasonable fairness in the apportionment of loans. This has been shown in a compilation of the municipal work in the several districts which was prepared and laid before the legislature at the time it was sought to restore the large number of the old-fashioned large council. It may be said, therefore, that the present council has been a success.

A striking feature of the new charter was the necessity of the confirmation of the mayor's appointments by the Massachusetts civil service commission. This was a new feature; it was a work which the commission of course did not seek, and one in which to be successful they would have to encounter considerable odium in the case of an improper mayor. This turned out to be their fate. The commission started the performance of its duties by the inauguration of a standard which up to that time had never been consciously applied to Boston. While theoretically some special qualifications beyond character were supposed to be required of a candidate, there had in fact seldom been any real desire to obtain an expert in any particular line. The commission set up a reasonably high standard with the result that during the first year one candidate after another of the mayor's was rejected, always to the candidate's discomfiture.

and oftentimes to some confusion in the public mind. But it gradually began to dawn upon the community that to fill in a competent manner a position requiring special knowledge, one must be something more than even a good husband and father, and that the mere fact that no criminal proceedings or anything of that kind had been brought against a candidate was not in itself a particularly lofty recommendation. The result was that after the first year or so the quality of the candidates very much improved, and there have been fewer rejections by the civil service commission. The commission therefore is entitled to the credit for establishing now definitely in the public mind a higher and more satisfactory standard for the heads of departments that ever prevailed before, and it will be difficult for any mayor to appoint the old style of candidate.

For this result the head of the commission, Charles Warren, was largely responsible, and for this he paid the penalty as he was not reappointed by Governor Foss. How long this feature of the charter will really be effective will depend of course upon how long the standard of the civil service commission itself is kept up. It is entirely well understood in Massachusetts, as it is in New York and various of the other states, that the city machines in the great capitals in order to prevent restraint by the legislature must aim not only at controlling the city but at controlling the legislature itself. There has been a very determined effort on the part of the Boston machine in this direction already, and of course when if ever that control is successful, the present safeguard will disappear. Up to that time, however, it will be effective if it is managed in the future as it has been in the past, and it deserves credit for the ideal of public service which it inaugurated in dealing with the first appointments of Mayor Fitzgerald.

The finance commission has been an active feature of the new charter. It was perhaps the first bureau of municipal research to be paid for out of the tax levy, and not by private subscription; but one or two other cities are said to have followed the example. Its reason for existence was of course historical. The old finance commission had been found to be so effective and its members had devoted so much disinterested service to the city that it was thought advisable to continue the work in the charter. The humor of constituting a special board appointed by the governor to investigate and make sure that those whom the people elected were faithful to their trust has not been wholly appreciated. Yet since the individual citizen has not the time or the patience to follow in detail the administration of the city, a board that can represent him has a place, if it really does represent him and can win his confidence. In spite of the glaring incongruity with the home rule theory, the finance commission has been a success largely because of the qualities of its personnel.

Governor Draper appointed as the first head of the finance commission

John A. Sullivan, who was one of the members of the old finance commission. There could not have been any better appointment, or one that showed more thoroughly the governor's sympathy with the new charter. Mr. Sullivan began his political career not as a theorist, but as a practical politician, and he has that familiarity with all sorts and conditions of men, their wants, and their ways of looking at things which comes only from that side of political life. At the same time he has developed in his work in the old finance commission and as head of the present board a conception of public service which when united with a study and grasp of details has enabled him to render invaluable service to the community. The same spirit has animated the other members of the commission. The result has been that the board has been active and vigorous, and its opinions have met with the respect of the community. It is true that at times it has a tendency to mingle a little too much acid in its criticisms of current events, but perhaps under the attacks to which the old régime has subjected it this is merely a defect of its qualities.

In any review of these various administrative departments, it becomes at once apparent how potent is the human side of administration, and how lifeless and mechanical the machinery might become without the proper quality of man to run it. Sullivan, Kenny and Warren are perhaps the three men who from this human side each in his own way have contributed the most to make the charter a success. The finance commission might easily have played an inglorious part; the council might have let the loans slip by; and it would have been less disagreeable as well as far more profitable for the individual for the civil service commission to have given up any high standard of public service and to have passed out a confirmation to whatever type of candidate appeared. These men and those who worked with them appreciated the opportunities they had in laying a good foundation for the beginning of the new charter, and they improved them. The charter was thus fortunate at the outset. But the real test may be still ahead. At any time by a poor appointment of the governor, or by an unthinking selection by the electorate, the advantage can be lost, and the charter weakened. It certainly will not run itself.

The method of nominating candidates under the new charter is by petition signed by 5000 registered voters. It was urged at the time the charter was passed and since then at each effort before the legislature to change it that this provision prevented the poor man from running and threw the success to the rich. This objection was due to a curious misconception. It was never intended under the new charter, and it certainly never should be intended that any one might run for office who might feel so inclined. The world may owe a man a living, but it certainly does not owe him an office or an opportunity to get one. There is no occasion for any one to run for office unless he is either backed by

a number of his fellow-citizens, in other words by some kind of a municipal party, or is sufficiently well known so that he can appeal to a sufficient number of supporters to aid him to procure the necessary signatures. This is just what has happened. No one during the last four elections who was really and seriously worth while, has been prevented from running. No one who ran has needed to pay out much of his own money. One prominent candidate, who has been twice elected by a sound majority, stated before the legislature that he had no difficulty in procuring the signatures. He sent to two hundred friends the necessary blanks, and within two weeks had 5000 signatures, besides the signatures procured for him by the Citizens Municipal League. His total expense was for stamps and envelopes, and amounted to \$8.50. On the other hand, innumerable self candidates have been shut out by this provision from taxing the patience of the electorate, and encumbering the ballot.

There has been, however, one grave defect in this system. The candidates are not sifted out by a preliminary vote, as in the days of the primary. This has not made any difference in the case of the council, for the candidates have been few and the ballot short. But in the single election for mayor, the presence of other candidates resulted in the victorious candidate really representing only a minority of the voters, and the result was no more satisfactory than in 1905, when precisely the same thing happened. It is difficult to suggest a remedy, except by the concentration of interest in the candidates of distinctly municipal parties. The German method of two elections has been adopted at least once in municipal charters granted in Massachusetts since the Boston charter, but while the method is said to have worked well, it was in much smaller cities.

It was of course a corollary to the method of nominations that no party names could appear upon the ballot. This has had the great advantage of destroying the artificial barrier which the national party lines raised between citizens whose objects were really the same and who otherwise would have coöperated in municipal matters. Thus, before the charter, under the old system, the Democratic city committee represented the machine. To oppose its candidates, only a Republican could be nominated, towards whom the independent Democrats were lukewarm, or an independent Democrat, who of course could not win in the Republican primaries. So the opposition to the machine was hopelessly split. The present method has rather cleverly reversed the process in the case of the council. The Citizens Municipal League candidates present a united front, while as there is no longer any candidate who is strictly the candidate of the Democratic party, any Democrat can run without necessarily losing caste, and the machine vote is thus split.

While the result of the elections under the new methods have been satisfactory, except perhaps in the choice of mayor, the interest shown by the electorate has been curiously uneven, and in the case of the elections for the council only, has been disappointingly slight. The first election in January, 1910, was naturally one of great moment. Not only a mayor, but the entire board of nine councillors were to be chosen. The election followed the thorough canvass of the city in the referendum between the two plans submitted to the voters by the legislature. The candidates for mayor were prominent. Large sums of money, altogether too large, were spent in advertising. The emotional appeals which now must attend any effort of the popular will, were skilful and varied. Four candidates ran for mayor, nineteen for the nine positions as councillor. Over 85 per cent of the registered voters came to the polls, a percentage higher than in any election for over twenty years with one exception, which was only one-hundredth of 1 per cent higher. In 1911, the contest was only for council. Nine candidates ran for the three places. Two of the three chosen were nominated by the Citizens Municipal League. The influence of the machine was desultory, but noticeable, and the election of the remaining councillor might be classed as the result of that influence. But only between 52 and 53 per cent of the registered voters came to the polls. The falling off was not in the rich section where there is a popular, but erroneous, impression that the interest is less, but generally throughout the city. In 1912 there were seven candidates for the three positions as councillor. The machine had a distinct ticket and made a distinct fight. The Citizens Municipal League ran its ticket, and there was one independent. The league won a decisive victory, with all three of its candidates, but only between 45 and 46 per cent of the voters came to the polls. This last January, only four candidates ran. The machine retired from the contest. One independent, who was supposed to have had some machine backing, was elected, and two candidates of the league. Between 41 and 42 per cent of the registered voters came to the polls, probably the smallest in the history of the city.

These figures are interesting and at the same time disappointing. It is difficult to generalize from only four elections. But they seem to indicate that in the important election of the mayor, the electorate takes wide interest, but at other times hardly any at all. Perhaps the reasons are not far to seek. The mayoralty is not only by far the chief office, but the candidates for it are far more widely known. All the artificial stimuli for arousing popular interest are applied. Publicity is extensive, by circulars and posters, and in the newspapers. In the off election there is little doing. Little money is spent. Little publicity is given. There are almost no issues in Boston affairs. The only issues are the personalities, and these in the council fights are little known to the voters. It

is undoubtedly true that under the old method two stimuli were important which are wanting now. The first of these was the national party organization, which was permanent in character and more highly organized than is the one municipal party which has come into being under the charter. The other was the number of candidates running, who represented all geographical districts and naturally made every effort to bring all the votes of their friends and neighbors. These do not, however, indicate that the old method was the better. It excited more interest, but led to worse administration. It may rather be that elections might well be less frequent, or perhaps the only remedy is the slow growth of public sentiment. It is early yet to tell.

In conclusion, the question naturally arises: Whatever may be the merits or demerits of particular features of the charter, what in general has been its effect on the city of Boston? Has it enabled the community to carry out more definitely its conception of government? Will it in the future aid the community in the development of this conception? So far as any conception of government is concerned, there is a pleasing fiction that the people have a clear and distinct standard, but are prevented from putting it fully into effect by what are known as the "bosses." Like many such fictions, this is a half truth. It is true that the "machine" must be disposed of before the will of the people can find expression, but after the machine has been disposed of there must be something to express.

Frankly speaking, the Boston electorate has been for some time in rather an elementary condition in its conception of municipal administration. The individual has had in a general way a desire for better government, but neither individually nor collectively have the citizens had very clear standards on the subject. In other ways, such as its Chamber of Commerce, Boston has made great progress during the last few years. But in political matters it cannot be said to have been so successful in realizing a standard for public service, and in effectively measuring its public servants by that standard. There is much to excuse this. To develop a definite standard of public service the electorate ought to be homogeneous and well put together—the various classes of its citizens ought not to be separated, particularly by artificial barriers. But Boston has some very peculiar obstacles and some very peculiar artificial barriers with which to contend.

There is not only the natural chasm between the rich and the poor upon which the so-called tribunes of the people are so fond of dwelling; but the different sections of the city, both in their geographical situation and from their former political conditions, are singularly local. Each is a little world by itself, and until recently there has been difficulty in sinking local feeling. For example, one portion of the city, East Boston,

is an island, whose inhabitants still talk of going to the "city." In the opposite direction, Roxbury was once an independent town before its union with Boston. The last addition to the city, which became a part of it in 1912, was of course an independent town. Fate has gathered in Ward 11—the Back Bay District—those who are supposed to be well off in this world's goods, and who are therefore supposed to have very different ideas in the way of government than their less fortunate fellows. In addition, the city is divided into various races, each of which has until very recently associated largely by itself, so that there is a vertical division, as it were, among the citizens, as well as the usual horizontal divisions made by wealth.

A large portion of the substantial business element do not live in Boston at all, but merely transact business there, and take no part in municipal politics. In this respect Boston is probably the only city in America whose suburbs are considerably more populous than the municipality itself. Of the million and a half inhabitants who make up metropolitan Boston, the city proper with its 700,000 inhabitants contains with some few exceptions all the "slums;" while the business element and small householders who would tend to raise the average intelligence of the electorate, sleep outside the city and take no part in its political affairs. It is likewise very difficult for the average citizen to keep much run of municipal affairs. The matters coming before the mayor and council for solution are numerous, generally small, and encumbered with a mass of detail and often uninteresting. Except for the office of mayor, the candidates are not as a rule well known outside of their particular districts, until at least they have been elected and justified themselves by their career in the council.

The number of city employees, including women, is more than one-tenth the number of registered voters, and their views on city matters are necessarily influenced considerably by their positions. Only about one in every five of the registered voters pay any tax at all outside of the poll tax, and the women who form the larger part of the resident taxpayers, owing doubtless to the common practice of putting real estate in the names of wives, of course have no vote at all except for school committee. Criticisms of waste and extravagance have thus no direct personal effect upon many of the electorate, who have not yet learned that while they do not pay for such administration directly, yet indirectly the burden of it falls most heavily on them. If any one expected that as soon as the fetters of the old régime were removed the city would start forward with a confident step into the possibilities ahead, he certainly would have indulged an unfounded hope. The acts of the electorate under the new charter have been often uncertain and unexpected. It has been feeling its way and learning, as it were, to walk. Thus the

victory of plan two was a joyful surprise; but it was followed by restoring to power the very mayor whose acts in his first administration had brought around the agitation for the new charter.

One of the city officials under the old régime who went to jail for a small fraud on the city, was later sent by a part of the city electorate as their representative in the legislature. At the very first election, however, the better class of councillors were elected, and the majority of the council have continued to be of the better type. Yet at the last election a good candidate for the council, endorsed by the Citizens Municipal League, but unfortunately not particularly well known in the city, outside of his own district, was defeated by a self-nominated candidate, who in 1905 had run as an independent for mayor, and regarded by his fellow-citizens as more or less of a joke, had succeeded in obtaining for that office 457 votes!

The standard which was set up by the civil service commission created as much surprise among those who endorsed it as it did consternation among the machine. It is uncertainty of judgment that makes the average citizen want to lean on somebody, and this want has led to the power of the machine and the Good Government Association. Each of them has decided views and decided recommendations; and it is easier to follow one or the other than to examine the facts and to arrive at an independent conclusion. But while some of the results have been unexpected and disappointing, the general tendency has been in the right direction.

From the past three years, therefore, the future is hopeful, but by no means certain. The charter is not yet a fixture. It has met with opposition each year at the legislature, entirely from the type of politicians whose activities it has supplanted, but who never sleep. The Boston machine is a strong, if not the strongest element in the Democratic party, and if the Democratic party acquires control of the legislature—as may well result from the present demoralized condition of the Republican party throughout the commonwealth—it is by no means impossible that the charter would go or at all events that its leading features would be weakened and changed. Furthermore, a governor may at any time by improper, or as is more likely by weak or colorless, appointments, destroy the efficiency of the finance commission, and the civil service commission, which after all are grafted rather illogically upon the charter. The only thing which will be beyond the powers of the legislature is the spirit of the people. If this develops a definite and certain standard of public service, as it now seems likely in course of time to develop, it will either prevent any change in the charter or may continue to live under any changes which the vicissitudes of politics may bring. The future alone can tell.

LEGISLATIVE INTERFERENCE IN MUNICIPAL AFFAIRS AND THE HOME RULE PROGRAM IN NEW YORK

BY LAURENCE ARNOLD TANZER¹

LEGISLATIVE interference in municipal affairs has for many years been the worst stumbling block in the path of municipal reform. Nowhere have its evils been more keenly felt than in the state of New York. The protests against it date at least as far back as 1846, when Henry C. Murphy of Brooklyn vainly urged upon the constitutional convention which was revising the state constitution, the adoption of a prohibition of special acts for the incorporation of cities and villages. Since then the evil has grown by leaps and bounds. Proposals looking to the protection of cities from it were again made in the constitutional commission of 1872 and by the Tilden commission of 1875, but were again unsuccessful.

In 1890 the Fassett committee appointed by the state senate to investigate the subject of municipal government in the state reported that in the six years from 1884 to 1889 inclusive the legislature had passed 1284 acts relative to the thirty cities in the state, of which 390 affected the city of New York. In the one year 1886, as Professor Goodnow says (*Municipal Home Rule*, pp. 23, 24): "280 of the 681 acts passed by the

¹ Mr. Tanzer has been a member of the committee on legislation of the Citizens' Union of New York City for a number of years, and chairman of the Union's charter committee. In the latter capacity he has been actively concerned in the study and discussion of all the charters recently proposed for New York City, commencing with the Ivins charter in 1909, and was particularly active in aiding in the defeat of the Gaynor charter in 1911, about which he wrote an article which appeared in the first number of the NATIONAL MUNICIPAL REVIEW (vol. i, p. 61). He is counsel for the Municipal Government Association of New York State and chairman of its committee on municipal home rule. The municipal empowering act and the home rule constitutional amendment were drawn by Mr. Tanzer with the assistance of a number of others, most prominent among whom was J. Hampden Dougherty of New York. The optional city charter bill was drawn by Carlos C. Alden, dean of the Buffalo Law School, and has recently been revised and amended by Mr. Tanzer. The non-partisan municipal election law was drawn by William Allaire Shortt of New York. On behalf of the Municipal Government Association, Mr. Tanzer has taken part in substantially all the activities mentioned in the article, the political activities having been managed by J. O. Hammitt, Robert S. Binkerd and Walter T. Arndt, all of New York. Mr. Tanzer has intervened for the Association and filed a brief in the case of Hamitt vs. Gaynor now pending in the New York supreme court, involving some questions as to the interpretation of the municipal empowering act. An article which he wrote on the home rule bill appeared in *Bench and Bar* for April, 1913.

During the past winter he was retained by the New York State factory investigating commission to take charge of the drafting of their legislation.

legislature, i.e., between one-third and one-half of its entire work, interfered directly with the affairs of some particular county, city, village, or town, specifically and expressly named."

By the time of the constitutional convention of 1894 which prepared the present constitution, the situation had become so acute as to compel attention. After careful consideration and prolonged discussion, the convention hit upon an expedient which was expected to stem the tide of special legislation without prohibiting it altogether. The constitution of 1894 divided all the cities of the state into three classes according to population (New York City being then alone in the first class); required every bill relating to a single city or to less than all the cities of a class to be submitted to the mayor in New York City and to the mayor and legislative body in every other city affected for acceptance, after a public hearing; and required that every such bill not so accepted could become law only upon being repassed by each house of the legislature subject to the governor's veto as in the case of other bills.

The framers of the constitution of 1894 hoped that special legislation if first submitted to the local officials after a public hearing would be limited to such as was actually needed by the localities to be affected and that its volume would be greatly diminished. This hope has not been realized. Special local legislation has increased in constantly growing volumes. A somewhat rough calculation of the number of special laws relating to particular cities, villages, towns and counties passed in each year since the enactment of the constitution of 1894 as compared with the total number of laws passed shows the following result:

YEAR	SPECIAL AND LOCAL LAWS AFFECTING CITIES, TOWNS, VILLAGES AND COUNTIES	ALL LAWS PASSED	PERCENTAGE
1895	433	1045	41
1896	460	1003	45
1897	332	797	41
1898	238	676	35
1899	265	741	35
1900	279	776	35
1901	303	734	41
1902	236	61	38
1903	270	645	41
1904	282	760	37
1905	333	761	43
1906	292	699	41
1907	336	764	43
1908	216	524	41
1909	235	596	39
1910	259	707	36
1911	303	903	33
1912	194	553	35
Total.....	5266	13301	39

During the eighteen years which have elapsed since the adoption of the constitution of 1894 special legislation of this character has not diminished, but has largely increased in quantity and has also increased in its proportion to the total amount of legislation. The condition remains substantially the same as that described by the Fassett committee.

This special legislation for the most part is or ought to be unnecessary, because it deals with matters which the localities affected ought to be allowed to deal with in their own way. For example, among the laws passed at the session of 1912, were laws prescribing the manner in which the amount due to contractors for public work in Albany should be ascertained and paid; authorizing Albany to improve its river front and providing the method of procedure; creating a board of sewer commissioners for the village of Albion; increasing the amount of sewer construction bonds which might be issued by Binghamton from \$125,000 to \$135,000 and the amount which may be issued in any one year from \$25,000 to \$35,000; creating a firemen's relief and pension fund for the fire department of Binghamton; authorizing the common council of Buffalo to fix the salary of the superintendent of education; increasing the amount of bonds which may be issued by Buffalo for the construction of a municipal hospital from \$250,000 to \$300,000 and the rate of interest from $4\frac{1}{2}$ to 6 per cent; authorizing the division of Buffalo into tax sections for the purpose of assessing taxes; authorizing Buffalo to construct buildings for conventions and the like; changing the title of sergeants of police in Buffalo to lieutenants of police, changing the salary of superintendent of horses in the police department, etc.; authorizing the reinstatement of firemen in Buffalo who have resigned; directing the park board of Buffalo to recommend to the common council ordinances for spraying and treating trees and shrubs adjacent to streets and public places; increasing the maximum number of policemen in the village of Canandaigua from five in all to one for every one thousand inhabitants and fixing the salary of the acting chief of police; authorizing payment of the amount due the Grattan Construction Company for constructing a certain sewer in an alley in Cohoes; authorizing Corning to pave and grade certain streets; authorizing the common council of Cortland to establish building lines; authorizing the town of Eastchester to spend \$8000 for a fire engine; raising the salaries of the aldermen of Elmira from \$100 to \$200; authorizing Fulton to borrow \$3575.69 to pay school teachers; providing for a fire marshal in Ithaca; authorizing the board of education of Lockport to reconstruct the Union School building; authorizing the corporation counsel of Mount Vernon to appoint an assistant corporation counsel; authorizing the city counsel of Newburgh to spend \$5000 to entertain delegates to the conventions of the State Firemen's Association and of the Grand Army of the Republic; raising the maximum salary of the deputy city

clerk of Newburgh from \$500 to \$900; fixing the salary of the vice-chairman of the board of aldermen of New York City and of the chairman of the committee on finance at \$4000 each; permitting any head of department in New York City to grant leaves of absence without pay and to make deductions from salaries by way of fine; adding to the New York fire department veterinarians with rank and salaries the same as deputy chiefs; authorizing New York City to convert certain specified market property into dock property; abolishing the grade of doorman in the New York City police department; requiring the comptroller of New York City to pay contractors on the basis of 85 per cent of work done instead of 70 per cent; authorizing the board of estimate of New York City to inquire into and pay the claims of John P. Worstell and Joseph P. McNamara for work, labor and services; increasing from 10,000 to 40,000 square feet the space in the New York hall of records to be allotted to the register and commissioner of records; providing for an assistant counsel to the sheriff of New York County at a salary of \$3000; increasing from \$10,000 to \$12,500 the sum which the common council of North Tonawanda is required to raise annually for the use of the board of fire commissioners; requiring the county clerk of Onondaga County to index unpaid taxes and assessments; authorizing the village of Port Chester to borrow \$3000 to repair the old Willett Avenue fire house; providing for a property clerk in the department of public safety of Rochester; requiring the common council of Rome to designate a single newspaper to publish official notices; providing in great detail for the licensing of dogs in the village of Saratoga Springs; authorizing certain streets in Saratoga Springs to be sprinkled with oil or other substance; fixing the salaries of the president of the common council of Watervliet at \$500 and of the aldermen at \$350.

These are fair samples of the kind of legislation on which the legislature of the state of New York has been expending its time and attention, to the detriment of its legitimate function of legislating for the state at large, and to the injury of the cities and villages in every section of the state, large as well as small.

The compromise of 1894 must be pronounced a failure. The restrictions on special legislation imposed by the constitution of New York have been no more effective than the prohibitions of special legislation which have been contained in the constitutions of other states and for the same reasons: the diversity of conditions in many different cities variously situated and circumstanced makes special legislation absolutely necessary in order to provide for their varying needs; and the demand for special legislation most often comes from within the cities themselves. This demand, however, is largely an irresponsible demand: it comes too often from persons or parties seeking a change in the law for selfish purposes and is addressed to a legislature composed for the most part of repre-

sentatives from other localities not conversant with or interested in the needs of the locality affected and under no responsibility to its people. The real objection lies not against the enactment of special legislation, but against the kind of special legislation enacted, the manner in which it originates and in which it is enacted; not to special legislation as such but to the imposition of special legislation on the city by the legislature. The evil to be corrected is not special legislation, but legislative interference. The remedy is not to prohibit or restrict special legislation, but to do away with legislative interference in municipal affairs by transferring to the cities themselves the right to adopt their own necessary special legislation and to manage their own affairs with only so much control by the legislature as the interests of the state as a whole require.

This remedy—municipal home rule—is now being actively advocated by powerful influences in New York. For many years various cities which have been trying to obtain the enactment of necessary legislation have had bitter experience of the evils of legislative control. No bill could be enacted whose passage could not be made to appear to those in control of the legislature desirable for reasons appealing to them, too often reasons of personal or party advantage. While unnecessary and vicious special legislation was being passed in great profusion, much needed and beneficial special legislation often failed of passage. Cities which desired to change their form of government in some particular respect or to substitute for it a commission form of government or to obtain additional powers could not get their bills through the legislature and often could not even obtain a hearing.

The helplessness of any one city seeking relief from a legislature governed by considerations of party politics and overwhelmed by a mass of proposals for general, special and private legislation was so apparent and so hopeless as to lead the cities to combine for their mutual protection. This combination has been effected along two lines, one official and the other unofficial—the conference of mayors and other city officials and the Municipal Government Association of New York State. The mayors' conference originated in 1910 with the object of bringing city officials together to discuss matters of common interest and to work together for the common welfare of the cities. The Municipal Government Association, organized in January, 1912, was a combination of citizens of different cities who had been striving separately for greater freedom in municipal affairs and who now decided to unite in an effort to obtain a larger measure of home rule for the cities of the state.

The Municipal Government Association promptly formulated and announced a legislative program intended to secure to cities the benefits of home rule. This program comprised the following legislation: (1) A municipal empowering act granting to every city the power of regulating

its own property and affairs; (2) an amendment to the constitution of the state securing these powers against legislative encroachment, authorizing the citizens of each city to adopt and amend home rule charters and prohibiting special legislation concerning purely municipal affairs; (3) an optional city charter bill providing simplified forms of city government which the citizens of any city might adopt in place of their present charter; and (4) a non-partisan municipal elections bill. Bills were drawn to carry these recommendations into effect and were submitted to and approved by a number of men versed in municipal affairs. The first three of these measures were intended to confine to general laws the activity of the legislature in purely municipal affairs and to leave all special legislation on that subject to the city or its inhabitants, the fourth was intended to concentrate attention on the local exercise of these enlarged powers by freeing municipal elections so far as possible from state and national party influences.

Special legislation relating to municipal affairs consists of two kinds of measures—those determining what powers a city shall exercise and those determining how its government shall be exercised and carried on and its local affairs administered. The first of these two classes is rendered unnecessary by the municipal empowering act.

The municipal empowering act proceeds upon the theory that a city should have full power to regulate, manage and control its property and local affairs and that this power should be granted alike to all cities. The act contains such a grant in general terms and for greater caution it contains also a specific grant (which does not operate to limit the general grant) of a number of specified powers which together embrace substantially all the powers now vested in particular cities. This grant of power is not in substitution for, but is in addition to existing powers and fills up gaps in powers now existing in any city. Every existing power is to be exercised in the manner now provided in the charter of the city; the manner of exercising new powers granted by the act is to be determined by ordinance, subject to safeguards imposed by the act itself on the power to issue municipal obligations, to sell or lease real estate and to grant franchises where such power does not now exist.

The constitutional amendment by redeclaring the general grant of powers preserves it against legislative interference and also extends it to villages. The amendment prohibits special legislation regarding municipal affairs, and confers upon the citizens of each city and village the power to enact such special legislation, to be drafted by local commissioners or convention and adopted by referendum. At the same time it expressly preserves the power of the legislature to legislate as to matters of state concern.

The optional city charter bill offers to any city the choice of six differ-

ent forms of government which may upon petition and by referendum be adopted in place of its existing government. This bill would offer a large measure of home rule to all cities pending adoption of the constitutional amendment, and after its adoption to those cities which might not wish to frame individual charters. The forms of government of which the choice is thus given are (1) commission government, (2) the city manager plan, (3) the mayor and council plan with a council of five elected at large, (4) the same, with a council of nine, (5) the mayor and council plan with a council elected by districts or wards, (6) the plan now embodied in the second class cities law (known as the White charter) which adds to the mayor and council a board of estimate and apportionment, a board of contract and supply, and other specified officers and departments.

The non-partisan municipal elections bill would empower any city electing by referendum to come under its provisions to elect municipal officers on a separate ticket having no party designations and would thus carry a step further the idea of separating municipal elections from state and national elections which has been only partly put into practice by the provision of the present constitution requiring municipal elections to be held so far as possible in odd-numbered years.

These bills were all introduced in the legislature of 1913, the constitutional amendment in somewhat different form having already been introduced during the session of 1912. Before their introduction drafts had been widely distributed and publicly discussed. The mayors' conference held at Utica in June, 1912, adopted a resolution urging upon the legislature the grant of enlarged powers to cities and the conference through its legislative committee has been active in support of the entire home rule program. The advocacy of this program was carried on to such good effect that the state platforms of all the leading political parties adopted in 1912 called for the enactment of home rule legislation.

In his first message to the legislature in January, 1913, Governor Sulzer pronounced in support of home rule and in opposition to "legislative tinkering and invasion." In March, 1913, a home rule dinner and conference was held at Albany under the joint auspices of the Municipal Government Association and the mayors' conference at which the legislative leaders and public men of all parties spoke in favor of the home rule program.

The municipal empowering act was passed by the legislature without opposition and was signed by the governor and became law April 7, 1913. The other bills, however, made no progress in the legislature and remained in committee.

Since the enactment of the municipal empowering act there has been some misconception as to what has actually been accomplished by it.

This was due largely to a failure to realize the fact that this measure constituted only a part of the home rule program. The municipal empowering act has extended the powers of cities and has made unnecessary the many enabling acts heretofore introduced in the legislature; it has not put the cities in a position to draw or amend their own charters and so has not dispensed with the necessity of special legislation for that purpose. In some quarters, however, the impression prevailed for a time that the purposes of the constitutional amendment had been attained by the municipal empowering act. That act was dubbed "the home rule law" and a number of special bills amending city charters with respect to administrative detail were vetoed by the governor on the theory that their purposes could be accomplished under that act. This position appeared to find support in an opinion issued from the attorney-general's office.

Subsequently, however, the scope of the municipal empowering act was thoroughly discussed at the mayors' conference at Binghamton in June, 1913, following an able address by Attorney-General Thomas Carmody, which clearly pointed out what the act had accomplished and what still remained to be done. As a result of this discussion, it is believed that a clearer understanding of the situation now prevails. The conference adopted a resolution urging the enactment of the optional city charter bill at the extraordinary session of the legislature which had been called for June 16. The governor after conferring with the legislative committee of the mayors' conference and with representatives of the Municipal Government Association recommended to this session the enactment of that bill and the bill in amended form has been reintroduced; but at the present writing its fate remains uncertain.

Much has thus been accomplished in the direction of municipal home rule in a short time and a great impetus has been given to the movement. The outlook for its success in the near future is bright.

THE STREETS OF NEW YORK CITY

BY FREDERICK F. BLACHLY¹

Colorado

NEW YORK CITY has 2677 miles² of streets, comprised within an area of less than 327 square miles.³ The value of this land with its improvements is \$9,469,000,000,⁴ a value nearly as great as one-half of the 512,660,306 acres⁵ of farm land and property west of the Mississippi River, or one-fourth as great as the entire 878,798,000 acres of farm land in the United States. If these streets were placed end to end they would extend nearly 50 feet wide from New York to San Francisco. Throughout this distance there would be on each sidewalk a constant line⁶ of people every 6 feet apart, and at the busiest portions of this street during the ten rush hours of the day 1400 vehicles⁷ would pass a given point each hour. When it is considered that about one-twelfth of this tiny plot of land (New York) is given over to the streets, it becomes evident that the street problem is of the highest social, economic and political significance.

Here persons of all ages and all tastes go to meet one another, to talk over the affairs of the day, to be entertained, to eat, to drink, to inspect shop windows, to do marketing, to buy and sell merchandise, and to perform a thousand offices which the exigencies of city life make profitable, healthful, or agreeable.⁸

If the main arteries of traffic are misplaced or are too narrow thousands of hours are lost each day. If the residential streets are too wide land which should have been used for buildings, parks or playgrounds is unnecessarily sacrificed and the taxpayers are compelled to pay for paving and maintaining an unnecessary surface of the streets. This cost of paving, maintaining and cleaning the streets forms one of the heaviest burdens of taxation and so automatically creates high rents.

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² Reports from the different departments having charge of the streets.

³ *Report of the Commissioners of Taxes and Assessments*, 1912, p. 25.

⁴ *Report of the Commissioners of Taxes and Assessments*, 1912, pp. 11 and 12. This amount includes the real estate taxable, \$7,861,898,890; and exempt city, state and national, \$1,607,105,809; total, \$9,469,004,699.

⁵ *Bulletin Thirteenth Census*, 1910, abstracted, "Farms and Farm Property by States," pp. 1-7.

⁶ From estimated population given by board of health.

⁷ Dr. Clifford Richardson, *Popular Science Monthly*, August, 1912.

⁸ Quotation from Dr. Soper in Beard's *American City Government*, p. 242.

The governmental and political significance of the problem lies in the necessity for determining through charter provisions the interrelationship of the several departments dealing with the streets: The borough president, the department of highways, the street cleaning department, the board of health, and the department of water supply, gas and electricity, and finally the local boards, in the various districts. The charter must define which of these bodies must lay out, pave and keep up the streets. It must also indicate who shall bear the initial cost and the up-keep, and who shall determine upon the amount of money to be spent for each part of the work. It should also provide for a body empowered to see that the work is properly done and that the appropriations are spent to advantage. In all of these questions the public has a vital interest. It must determine which offices shall be merely administrative and which political and determine whether or not political or business methods shall prevail. The problem is, therefore, complex in the extreme and can only be solved through trial and experiment.

According to the charter of Greater New York, the city is divided into five boroughs, Manhattan, Bronx, Brooklyn, Queens, and Richmond. Each of these boroughs has a president who has control over the streets in his borough, who has power to appoint and dismiss a commissioner of public works, who may discharge all of the administrative powers of the president of the borough relating to streets, sewers, public buildings, and supplies. The charter provides for no separate department of public works, but the administrative officers under the jurisdiction of the commissioner are commonly referred to as the department of public works. This department is divided into several bureaus, the most important of which is the bureau of highways. The chief engineer who heads this bureau, is appointed by the borough president, and the bureau is provided with the necessary engineering, inspecting, and clerical forces. This bureau has charge of existing pavements, the construction of new ones and the removal of obstructions and encumbrances from off the streets.

The city is also divided for local purposes into twenty-five districts in each of which is a body, composed of the aldermen of the district and the borough president acting as president. Every resolution that this board passes must receive the approval of the borough president. Among the powers of these boards are those of initiating proceedings to open, close, widen, extend, and pave the streets in their districts.

The borough of Manhattan presents greater difficulties in regard to the streets than any of the other boroughs, because of its immense population—an average density of 182.10, and a maximum density of 1103.10 to the acre⁹—the high value of land, the great number of self propelled vehicles,

⁹ *Report Department of Street Cleaning*, 1911, p. 6.

both for pleasure and business, and the vast volume of traffic in the business districts. The difficulties involved in caring for the streets of Manhattan are best seen in the work accomplished in the last three years.

In this borough are 460 miles of streets, all of which are paved except about 17 miles in the northern part of the island, in the section built up since the opening of the subway.¹⁰

When the present administration came into power the complaints against the conditions of the streets were loud and numerous, particularly with regard to the sheet asphalt pavements. Not only was the surface of these pavements in bad condition, but the foundations were defective. There were more miles of this type of pavement than any other and as they formed the main thoroughfares of the city, the breaks, hollows, and uneven surfaces were painfully apparent. At the time of the construction of these pavements loads were much lighter and there were few if any self-propelled vehicles, consequently there was not the imperative need for extra firm foundations. The increased weight of the present day vehicle, however, and the greater loads that they carry have made stable foundations more necessary than formerly. The tendency of self-propelled vehicles to slip, causing a scraping action which scoops out the pavement under the drive wheel requires also a much more durable surface. This is especially so when chains are used.

One of the greatest difficulties that the present bureau of highways met with was the fact that the former administrations had kept no accurate statistics as to the age and condition of the streets. When this data was finally collected the results were astounding. It is a well established fact in engineering that good pavements are impossible without solid foundations. The statistics, however, revealed the fact that up to June, 1911, there were 190 miles of 30-foot roadway laid upon the existing old stone roads as foundations. Of this pavement ten miles were more than twenty years old and over 60 miles were over fifteen years old. When it is considered that the average life of a pavement in New York City is only about twelve years and in the very busy sections much less, the reasons for the bad condition of the streets becomes evident. For some unaccountable reason this faulty method of construction was continued even after the time when the different types of vehicles and the greater loads made sound foundations essential. In 1903, 30 miles of this pavement with poor foundations were laid in one year, and it was not until 1906 that the practice of laying sound concrete foundations became general throughout the borough.

Because of the flimsy construction and the old age of the pavements the cost of up-keep was enormous. It soon became evident that the

¹⁰ Special report for writer furnished by E. V. Frothingham, commissioner of public works gives most of the facts regarding Manhattan.

greater part of the pavement would have to be renewed. Up to 1910 the annual appropriation for paving the streets had been about \$1,000,000. During the first year of the new administration this sum could not be increased. But in 1911, thanks to the efforts of President McAnaney, the sum was raised to \$1,400,000 and in 1912 it was again raised to \$3,500,000. As a result of this expenditure 50 miles of streets were laid in 1912. This mileage added to the other work done in the last three years amounts to a 190 miles, or nearly a quarter of the entire length of the pavement in the borough. The different types of pavement laid are as follows:

	<i>Miles</i>
Sheet asphalt.....	53
Granite.....	30
Wooden block.....	14
Asphalt block.....	12

The mileage of the different types of pavement at the beginning of 1910 and the beginning of 1912 are given below. They indicate quite clearly the changes in policy regarding the applicability of various materials for certain types of streets.

	<i>January 1, 1910</i> <i>Miles</i>	<i>January 1, 1912</i> <i>Miles</i>
Sheet asphalt.....	259	246
Granite and all other materials.....	117	113
Asphalt block.....	48	54
Wooden block.....	11	25
Macadam.....	5	5
Total.....	440	443

This table shows a decrease of 13 miles in sheet asphalt and 4 miles in stone pavements, and an increase of 14 miles of wooden block and 6 miles of asphalt block. E. V. Frothingham, the commissioner of public works, gives the following reasons for the changes:

The increase of the wooden block represents the opinion of the department that this material is well fitted to certain types of streets where for any reason it is highly desirable that there shall be little noise and also where the traffic is heavy and the grade is not over $1\frac{1}{2}$ per cent.

The experience of other cities with the wooden block would seem to confirm the statement made by Mr. Frothingham. Minneapolis has not only found the wooden block satisfactory for this type of street, but believes it is the best and cheapest material for nearly all of its streets. The success of the Australian hard wood block pavements in Sydney has been rather remarkable. Queen Street, which has an estimated daily traffic of 25,000 tons, was thus paved. The wooden blocks after eight years in the streets, showed a wear of only one-sixteenth of an inch and seemed in other respects to be nearly as good as when laid. The original

cost was only \$3.05 per square yard and the annual cost of maintenance was only 2 cents per square yard. Whether the wooden blocks will stand the immense traffic of Broadway or Fifth Avenue remains to be seen after thorough experiment.

Some little objection is raised against the wooden block because of its odor and stickiness in warm weather and also because of the difficulty of keeping it clean. As the blocks become worn dust collects in the broken fibers and is very hard to dislodge.

The increase in the amount of asphalt block used was against the judgment of the department. It was due to the fact that the present administration had inherited quite a few contracts from the former administration, and also that the new contracts in the upper end of the island were determined upon by the local boards upon the petition of the property owners. All of these contracts called for the use of asphalt block. As far as the department is itself concerned, it has almost entirely discontinued the use of this material with the exception of a few streets where the grade is great and where quiet is imperative.

Whether the local boards should have power to decide on the kind of pavement in a certain locality is one of those political questions on which people will continue to disagree. It seems reasonable to suppose, however, that the commissioner of public works would have much better data on which to base his determination than the local board, and so should be given the entire power to say what type of pavement should be laid.

The decrease in the mileage of the sheet asphalt, as shown by the above table, is because wooden and stone block have been laid in its place on streets where it had been laid by former administrations with little or no reference to the kind of traffic it was to bear.

Sheet asphalt seems to be an almost ideal pavement in the residential sections where traffic is light and quiet is desirable. One desirable feature about asphalt in such sections is that it is very clean in itself and is also easily cleaned. In crowded neighborhoods where the children must play on the streets this feature makes it highly desirable.

The slight loss of the amount of stone block is explained by the fact that sheet asphalt has been substituted for it in the residential sections.

It is needless to discuss all of the factors that enter into the determination of the kind of material to be used on any given street. Some of the things that must be taken into consideration, however, are the original cost, durability, ease of repair, ease of cleaning and freedom from slipperiness. Noiselessness, freedom from odor or stickiness, and slight radiation of heat are some of the more important factors to be considered in residential streets.

The present administration is making some very interesting experiments, testing the stability and cost of different types of pavement put under

the same traffic conditions. On Broadway, between fifty-ninth Street and Seventy-eighth Street, wooden blocks are laid to test in comparison with a strip of sheet asphalt laid on the same street between Seventy-eighth Street and Ninety-second Street. As these two strips of pavement have nearly identical traffic conditions a fair test of the relative value of the two materials can be obtained. On Second Avenue strips of many different materials of about two blocks each are being laid to test the value of different materials. These different types are: two different types of asphalt block, two different types of sheet asphalt, rock asphalt, rock asphalt block, twelve different types of wooden block, granite block, and Medina sand stone. Such a test will be of great value in determining upon the future types of pavements.

The pavements were so old and in such bad condition at the time the McAneny administration began its work that the expense of up-keep was enormous. The repaving work has been especially directed to these poor pavements with the result that at the present time the cost of maintenance has been considerably lessened.

There are two main classes of maintenance work. The maintenance and repair of the stone work is done by departmental labor. The repair work of the sheet asphalt and asphalt block, in so far as it is not under the guarantee of the contractors who laid it, is done by contract, after public advertisement. Nearly all of the wooden block pavements in the borough are of such recent construction as to be still under the guarantee of the contractors doing the work.

An experienced engineer having charge of the stone work has very much reduced the expenses of repair work. This has been accomplished by eliminating men who were not necessary and demanding a high grade of work from those employed. In former administrations the pay roll for stone work had often been very heavily padded. For instance, in 1909 the pay roll for this kind of work was in round figures \$480,000 and only 206,000 square yards were repaired. The total cost for that year, including material, was \$500,000. In 1912, by the efficient management of a competent engineer, the department repaired 325,000 square yards, or an increase of 119,000 square yards over the former year. The pay roll was only \$240,000, or a decrease of nearly 50 per cent. The total cost of this year, including the extra material needed for the 119,000 extra yards done, was only \$300,000. As there was an increase of nearly 60 per cent in the amount of work done and yet a decrease of nearly 50 per cent in the total cost the figures speak for themselves.

Much has been done to improve the work of repairing the sheet asphalt and the asphalt block pavements. The cost here can not be controlled in the same way as in the case of the stone pavements because the city seems to be in the hands of a few asphalt companies having a monopoly

and whose prices show every indication of a perfect understanding between themselves. The prices of these companies have arisen very rapidly as efforts have been made to better inspection and secure compliance with contract specifications. The prices during 1910 were very low for maintenance work, ranging from 82 cents per square yard to as low as 77 cents per yard. During 1911, the prices steadily increased, varying from 97 cents to \$1.12 per square yard, and in 1912 reached the maximum price of \$1.75 per square yard.

The amount of yardage and its cost for four different years will show in a rather interesting way some of the results attained by inspection and the consequent elimination of unnecessary yardage which had been formerly laid in the interest of the asphalt companies. This report will also show how the new pavement lessens the amount of repair work.

YEAR	SQUARE YARDS OF ROADWAY DONE	COST
1909	244,000	\$285,000
1910	345,000	409,000
1911	478,000	686,000
1912	363,000	575,000

As a result of all the different elements combined the total repair work done in 1912 was at the average cost of 13 cents per square yard for pavements under maintenance as compared to 17 cents per square yard in 1911.

It is evident from the rapidly increasing price of the repair work done by the asphalt companies that the city has been badly hampered in its work of repairing the streets. Appropriations have been secured for a city asphalt plant, plans have been drawn up and the contracts for construction have been awarded. If all goes well, the plant will be in operation before the close of the present year.

Experience has demonstrated that there is no economy in repairing the streets after they get in rather bad condition. It is much better and cheaper in the long run to repave entirely. Old worn out streets are not only a heavy source of expenditure to the highways department but also greatly increase the cost of keeping the streets clean. In fact the street cleaning department is so much dependent for its efficiency on the condition of the streets that some have advocated placing them both under one head. In the boroughs of Queens and Richmond the commissioner of public works has charge of both departments and thus is able to have these two departments work in harmony with each other.

The proper grade of materials used and the manner in which they are laid is one of the most essential elements in keeping the streets in good shape. The proper materials of course can only be determined by com-

paring different materials under the same conditions. The specifications for different kinds of material have been very carefully revised in New York to meet what are now considered the essential requirements. Every wooden block must have so many rings to the inch, as it has been found that the quick growth rots much faster than the slower growth. The specifications for the preparation of the creosoted wooden blocks are very strict regarding the amount of creosote to the cubic foot, the temperature of ignition and the percentage of volatility.

The granite blocks are now cut much smoother than formerly and the joints between them are consequently much smaller. Such pavements are well suited for automobiles and at the same time are much less noisy under steel-tired wagons with heavy loads. Canal Street and Hudson Street amply demonstrate the advantages of this type of block.

Most of the causes of failure in the sheet asphalt can be overcome by the proper kind of inspection. The greatest causes of failure are due to defective foundations, having the surface too soft, the leakage of illuminating gas, and patches where the streets have been torn up for water, gas or sewer connections. In the Borough of Richmond the bureau of highways itself replaces the pavement thus torn up and charges the expense up to the company doing the work. In this way it makes certain that the new patch is laid of the proper material, at the right time and in the proper manner.

One of the features of the present administration that has attracted general attention has been the removal of the sidewalk encroachments and the widening of the streets and sidewalks.

Prior to the present administration some work was begun on Fifth Avenue. In 1911 the campaign was fairly started beginning with some important crosstown streets—Forty-Second, Thirty-Fourth, and Twenty-Third Streets. During the past year the work has been continued with splendid results. The chief object to be accomplished was to get back for public use the space that had been appropriated by private individuals with, or without a revocable license from the city. In every case the property owner was forced to move the encroachments from the street at his own expense. In some instances the entire front of very costly buildings had to be taken off. In one case it will cost a big skyscraper \$25,000 to comply with the rules. At the present time the courts are deciding whether or not the Singer Building will have to change its front.

This work has made it possible to gain from $6\frac{1}{2}$ to $7\frac{1}{2}$ feet on each side of the street without in any way decreasing the sidewalk space. In other sections the sidewalks and the streets have both been widened. The widening of Fifth Avenue, Forty-Second Street, Twenty-Third Street, Fourteenth Street and Second Avenue has made possible, despite the fact that a double car line is operated upon them, abundant room for a

line of both standing and moving vehicles, on each side of the street between the car track and the curb. The amount of land thus returned to the city, without a cent of expense, is equal to 77,000 square yards, or a plot of land fourteen times as large as the sight of the old Equitable Building. The area thus restored to the city would equal a strip of land 13 miles long and 10 feet wide.

By a new rule adopted January 1, 1911, and enforced through the bureau of buildings, encroachments of any kind, with trifling exceptions, are forbidden. This rule is regarded as proper by all interested in the beauty and welfare of the city, and if lived up to will prevent the further development of congested conditions.

The removal of encroachments will be continued throughout the present year and although the streets affected have not been as yet fully determined upon, the progress will probably include Sixth Avenue, the Bowery, a portion of Seventh Avenue, and a considerable number of streets in the lower part of the city where the sidewalk congestion is great.

Another feature that has made the streets better and more sightly has been the removal of abandoned car tracks. In most instances where the city has had the power, these car tracks have been removed. There are still tracks which serve no practical purpose but because of the franchises the city is unable to touch them. A very conspicuous instance of the removal of tracks is found on Fulton Street, one of the most important crosstown streets. On this street for years a double line of car track, extending the full length of the street, had been an eyesore and source of danger. In connection with the repaving of this street the track was entirely removed and a fine stone pavement extending from sidewalk to sidewalk and from one river to the other makes this street both safe and good to look upon.

Other cities may well take a lesson from New York and refuse franchises for street car tracks unless there is every likelihood that they will be used to good purpose. A little forethought and good regulations regarding encroachments will not only save the city the use of all its street room but will also save property owners much trouble in the end.

The problems confronting the Borough of Queens are very different in their nature from those of Manhattan. This borough, which includes a number of fine summer resorts, is about 14 miles wide and 16 miles long. It has an area equal to about 40 per cent of the entire area of Greater New York, but has a population of only 322,191, stretched along the water front and the main thoroughfares. Large tracts in the center of the island are entirely undeveloped.¹¹

¹¹ From an address given before the road builders by G. Howland Leavitt, superintendent of highways, Borough of Queens, city of New York.

When Queens County was made part of New York City in 1898 the county had 450 miles of water-bound macadam roads. This roadway, because of insufficient provisions for maintenance and because of neglect, had fallen into bad condition. As a result the city found last year that it was necessary to repave a great portion of it.

The necessary appropriation presented some difficulties. The city assumes the responsibility of keeping in proper condition the streets that were once paved and paid for by assessment. Because of the urgent need of main thoroughfares connecting the different parts of the city, this work was finally authorized by the board of estimate and apportionment. Fifteen per cent of the expense was to be borne by the county and 85 per cent by the city.

The old roadways had good foundations and so it was determined to use them as far as possible. The nature of the traffic, about 75 per cent automobiles, the kind of construction then in place, the first cost and the cost of up-keep were some of the factors to be taken into consideration.

It appeared upon first view that a bitulithic carpet placed upon the old macadam road would be inexpensive and would meet all requirements. It had been found by experience, however, that because of the kind of traffic, a light flush coat of bitumen and stone would have to be put on the streets yearly at a cost of from 10 to 15 cents per square yard. This annual cost added to the first cost of the coating would equal about \$1.25 per yard for a five-year period and would exceed the cost of a bitulithic concrete on properly constructed foundations. It was decided to use the concrete. The low bids for the new work, averaging \$1.11 with a five year guarantee amply demonstrated the correctness of the position taken. By letting the work to different companies and in fifty separate contracts and by maintaining the proper force of engineers and inspectors to see that the work progressed, 102 miles of pavement were laid in a period of a little over four months. This work was done at a cost of \$1,887,820.

The Borough of Richmond has been making some real steps in the solution of its street and street cleaning work under the presidency of George Cromwell and his efficient commissioner of public works, Louis L. Tribus and J. T. Fetherston, the superintendent of street cleaning. This borough has been fortunate in having practically the same administrative heads of departments for the last ten years and so has been able to carry on well thought-out policies. The problems connected with this borough are by no means as complicated as those of Manhattan, but the present method of attacking them seems to be correct and applicable to much larger undertakings.¹²

¹² Report of Borough President of Richmond to board of estimate and apportionment, *Suggestions to the Board of Estimate and Apportionment by the President of the Borough of Richmond*, 1912.

Mr. Cromwell is making a successful attempt to introduce lump sum appropriations for the different departments in the borough instead of the highly segregated budget. In a letter to the board of estimate and apportionment, he summarizes his plans as follows:

1. Lump sum departmental or office appropriations shall be authorized when founded upon unit cost data and work requirements.

2. In any department or office where such cost data are available, several salary grades for the same class of work shall be established by the board of estimate and apportionment, so that the head of a department or office may increase or decrease wages within specified limits, basing such action upon predetermined standards of work and efficiency records.

3. Each head of a department or office in which fundamental cost data are available shall have direct responsibility in the expenditure of appropriations, the result to be checked by some independent authority such as the mayor, acting through the commissioners of account or the comptroller.¹³

Such a system would seem to be much more conducive to efficiency than the old segregated budget system. Each head of a department would in this way be able to conduct his department as a business enterprise. He could control his men, rewarding those who did good work and reducing the pay of those whose work was not up to the standard. Such a system, if carefully worked out, gives a scientific basis for determining the amount of appropriation instead of the system, all too general at the present time, of basing the appropriation for the present year upon the amount given during the preceding year. With such a system however, it would be necessary to work out a plan whereby every factor of cost was taken into consideration.

A good way to get these different factors is to establish first a unit basis, for instance the square yard. Then determine all of the factors making up the total cost per square yard, labor, material, haulage, etc. The unit cost will be the sum of all these factors. By the monthly cost sheet, as made up in the office, the engineer can at once see the factor that is causing the excessive cost, and so can easily determine whether this extra cost is justified. For instance, supposing the labor per square yard is 20 per cent greater in section A than in section B. This cost is immediately noticed by the engineer and he can at once determine whether the difficulties in section A make this extra cost necessary. If they do not he can immediately find some way of bettering the conditions.

Supposing, on the other hand, that in section B the monthly report showed a lower figure of cost in the ton mile haul. The engineer could either better the conditions in A or else find out exactly what made the cost in that section greater.

¹³ *Suggestions to the Board of Estimate and Apportionment by the President of the Borough of Richmond, 1912, p. 3.*

This is a very inadequate statement of the plan but may show in a measure how such a plan would work. It is not different in principle from the cost price of large manufacturing concerns.

It is to be hoped that the plans suggested by Mr. Cromwell will be given a fair trial and that they will in a large measure make possible a more scientific budget.

CINCINNATI'S TRACTION PROBLEMS

BY ELLIOTT HUNT PENDLETON¹

Cincinnati

HENRY T. HUNT was elected mayor of Cincinnati in November, 1911, and assumed office January 1, 1912. Before entering upon his duties Cincinnati's new chief executive formulated a program of objects to be accomplished during the two-year term for which he had been chosen. Improvement of the city's street railway service and the preparation of plans for securing rapid transit facilities—urban as well as interurban—formed a part of his constructive program.

The benefits that would result from better transportation facilities were fully appreciated by Mayor Hunt. In his judgment such facilities were needed not merely for the purpose of promoting the growth and material prosperity of the city, but in order to render possible the accomplishment of much more important ends, namely, the solution of Cincinnati's serious housing problem and a saving in the cost of living to all the inhabitants of the city.

Any one who has visited Cincinnati will recall that most of its factories and business establishments are located in the lower part of the city, and that this section is bounded on the south by the Ohio River and on the north, east and west, by steep hills. The population in this lower and oldest part of Cincinnati is very dense, as a large proportion of the factory workers, and nearly all of the city's poor, live in houses and tenements that were built in this section a half a century or more ago. That quick and cheap transportation to the beautiful and encircling hills would tend greatly to relieve the congestion that now prevails in this central portion of the city is quite apparent. It is equally clear that convenient and rapid means for reaching houses built upon the upper levels of the city would contribute in no small degree to the health, comfort and happiness, of the entire community. The conservation of health, morals, comfort and happiness, was what led Mayor Hunt into the fight that he has conducted with such vigor to secure better transportation facilities for the people of Cincinnati.

In order to understand the many problems connected with the traction campaign which Cincinnati's courageous young mayor has been carrying

¹ Mr. Pendleton for many years has been a conspicuous leader in Cincinnati for higher standards of municipal life and conduct. He has been identified with the various independent movements and was in the forefront of the campaign for Mayor Hunt's election. He has been editor and publisher of *The Citizens' Bulletin* of Cincinnati, and since 1903 has been a member of the council of the National Municipal League. Harvard University in June, 1913, conferred upon him the degree of master of arts as a recognition of his civic work.

on, some knowledge concerning the development of Cincinnati's street railway facilities into the system that is in operation today is essential.

The first street railroads in Cincinnati were authorized by an ordinance passed July 1, 1859. This provided that cars with "all modern improvements" were to be run "as often as the public convenience might require," under the direction and regulation of the city council. Provision was also made for the sale of tickets in packages of twenty-five and that no fare should exceed 5 cents. Another provision of this ancient piece of municipal legislation was that the street railway companies were required to purchase any competing omnibus lines at a price to be ascertained by arbitration. The result of this exaction drove most of the original companies into bankruptcy.

A comparison of the rate of fare charged by the Cincinnati Traction Company today with the charges imposed by Cincinnati's old omnibus companies furnishes a forcible illustration of how great a reduction in the cost of transportation has been effected since the introduction of the street railway. The fares collected by the old omnibus lines ranged from 5 to 25 cents, and no one of their routes extended more than half the distance which passengers may ride for a nickel today.

The city council on July 13, 1859, determined upon six street car routes, and on the same day franchises to operate cars over these lines were granted to six different companies. These routes began at some fairly central point and extended but a short distance into the various sections of the lower part of the city. One of these grants was made to the Cincinnati Street Railway Company, and the first street car in the city was run by this company, September 14, 1859. After the six original routes had been constructed, other short and independent lines were established in rapid succession and without regard to any general system. These short and independent routes finally numbered twenty-five. Extensions of old routes were also granted, from time to time, and authority to collect higher fares than 5 cents was then given.

For the purpose of saving time consumed in ascending, in the horse drawn cars of that day, the very steep hill that led to the residential district known as Mt. Auburn, there was constructed in 1872, an inclined plane from the lower level of the city to the top of the hill. This elevator was looked upon as an experiment and was not expected by many to prove a success. It became quite popular, however, owing to the great saving of time which it effected; and as extra fares were collected from those who used it, the venture proved a financial success. Five other inclined planes were subsequently constructed to the tops of the other hills that surround Cincinnati.

When Cincinnati's inclined planes were first built, passengers were required to transfer to and from the street cars at both the foot and top

of the hills. Within a short time thereafter, however, large trucks were constructed upon which to run the cars and lift them up, thus rendering the removal of passengers at the foot and top of the hills unnecessary. Serious accidents occurred on some of these inclined planes and proved very costly to the companies. A few of these elevators have been abandoned, but several of them are still operated as they afford the only practical means of furnishing certain sections of the city with street railway service.

The problem of climbing Cincinnati's hills led later to the construction of cable roads. Motive power of this character was adopted by three different companies. At very large expense cable roads were constructed to several of the city's principal residential sections on the hilltops. Within a few years, however, the demands for better service necessitated their abandonment and the substitution of electric motive power. These changes in construction and equipment made heavy drains upon the funds of the various companies. The result was that nearly all of the original companies either failed or went out of business. All of these lines were taken over and operated by the Cincinnati Street Railway Company.

In the early part of 1896 there were but four traction companies operating in Cincinnati. These companies were entirely independent of each other and no transfer privileges were granted. The rates of fare from outlying districts to the central part of the city varied from 5 cents to 15 cents. Passengers desiring to reach some point on the opposite side of the city were required to pay an additional fare. Under such conditions it is but natural that the people of Cincinnati became thoroughly dissatisfied with the existing system and that lower fares and universal transfers were vigorously demanded. This agitation resulted in the passage of a law—known as the Rogers law—permitting the consolidation of various lines in any Ohio municipality. The Rogers law authorized the board of administration, or council of any city, to grant to the consolidated company a fifty-year franchise, at a rate of fare not exceeding 5 cents for the first twenty years of the term. At the end of that period a readjustment of the rate of fare for the ensuing fifteen years was to be made, when the rate of fare was again to be revised for the last fifteen years of the fifty-year grant.

Shortly after the passage of the Rogers law a merger of the three other companies with the Cincinnati Street Railway Company was effected. A contract was then entered into between the city and that company, in which there was granted to it a right or franchise to operate cars, upon certain terms and conditions, in and upon designated streets, for a term of fifty years. This contract provided that cars should be run in such numbers and as frequently as the public convenience might require, and at a rate of fare not exceeding 5 cents during the first twenty years of

the term. Provision was also made that transfers should be granted, without extra charge, to passengers desiring to be conveyed, in the same general direction, from one part to any other part of the city. It was also provided that readjustments of the rate of fare, and of practically all of the other terms of the contract, should be made at the end of twenty years, and at the expiration of thirty-five years, from the beginning of the fifty-year grant. For the privilege of using the streets, the company was required to pay to the city, annually, 5 per cent of its gross receipts. Car license fees were also to be collected. The payment of car license fees was subsequently waived, in consideration of the company's agreement to pay to the city, annually, 6 per cent of its gross receipts. This payment amounted, in 1912, to about \$315,000.

At the time of its enactment and, in fact, ever since the passage of the Rogers law, there has been great misunderstanding regarding its various provisions. It was at first believed by the citizens generally that by the contract entered into with the traction company the people of Cincinnati would be required to pay 5 cent fares throughout the entire term of the fifty-year grant. The provisions of the law which provided for revisions of the rate of fare at stated periods, and which in many other ways safeguarded the interests of the public, were not understood by the great body of the citizenship. For these reasons indignation over the enactment of the law rose to a high pitch. Charges of bribery in connection with the passage of the measure were freely made. No indictments, however, resulted. The feeling against Senator Foraker, who was then acting as counsel for the street railway company, was very bitter, as it was generally believed that it was through his influence with the general assembly—the same body that had just chosen him to be one of Ohio's representatives in the United States senate—that the passage of the law had been brought about.

The Rogers law was repealed by the next general assembly and Cincinnati was the only city that availed itself of the provisions of the measure during the period that it was in force. The constitutionality of the act was attacked, but the law was declared valid by the supreme court of the state, and street railway service has been furnished to the people of Cincinnati, during the past seventeen years, under the contract entered into in 1896 in pursuance of the provisions of the Rogers law.

In considering Cincinnati's complicated traction controversy, the fact should be borne in mind that at the time the new fifty-year franchise was granted to the Cincinnati Street Railway Company, in 1896, the average unexpired term of the franchises then held by the company was about seventeen years.

In 1901 the Cincinnati Street Railway Company leased its entire property to the Cincinnati Traction Company, a new company that had been

organized for the purpose of operating the entire street railway system. Under the terms of this lease the operating company agreed to pay a rental amounting to 5 per cent at first, but advancing gradually to 6 per cent, on the outstanding capital stock of the lessor company. The 6 per cent rate was reached in 1905. The dividends that had been previously declared by the lessor company had never exceed 5 per cent, but in accordance with the terms of the new lease its stockholders have enjoyed dividends at the rate of 6 per cent since 1905.

The story of this lease transaction is as follows: Owing to the constant demands of the public for improved service and the consequent increasing difficulty experienced by the Cincinnati Street Railway Company in earning 5 per cent on its capital stock, its managers grew tired of the business and took up the matter of leasing the company's entire system. The proposition was submitted to the Widener-Elkins syndicate, of Philadelphia. Prior to this solicitation, the gentlemen composing this syndicate had entertained no thought of making any investment in Cincinnati traction property. They consented to consider the proposition, however, and entered upon an investigation of the Cincinnati traction system with but little idea of consummating any lease of the property. The result of the investigation, however, disclosed that the methods of operation pursued by the old company were antiquated, and that by the introduction of up-to-date and efficient management, savings could be effected and the property be made to pay. Subsequent negotiations resulted in the lease above referred to. One of the provisions of this lease was that the Cincinnati Traction Company should expend at least \$2,000,000 in improvements.

The Cincinnati Traction Company was organized with a capital stock of only \$2,000,000, but a holding company, called the Ohio Traction Company, was subsequently formed, capitalized at \$17,000,000; \$8,500,000 of this was represented by preferred stock and an equal amount by common stock. This company sold its preferred stock at about \$85 a share, including a bonus of an equal amount of common stock. The company was also bonded for \$2,500,000. These bonds were sold for very nearly par. The funds realized from both stock and bonds went into betterments of the system, with the exception of \$1,000,000 that was used to construct an office building on one of the city's most prominent corners and about \$283,000 that was invested in a car building company and in the purchase of the Cincinnati zoölogical garden. As the Ohio Traction Company took over the entire \$2,000,000 capital stock of the Cincinnati Traction Company, the Ohio Traction Company is virtually the lessee company.

The outstanding capital stock of the lessor company—the Cincinnati Street Railway Company—is \$18,738,950 and it is upon this amount that

the lessee company is obligated to pay 6 per cent interest annually. By adding to this capitalization of the lessor company the sum of \$9,727,000 expended in betterment to the system by the lessee company, a total present valuation of \$28,465,950 is produced.

As there was practically no public protest against the consummation of the lease to the Cincinnati Traction Company the transaction was promptly approved by the city council.

Notwithstanding the extensive betterments made by the lessee company there were still many complaints on the part of citizens regarding the service rendered. Most of these complaints were directed against the overcrowding of the cars during the rush hours. The company's answer to these complaints was that it was impossible to run more cars over the tracks in the congested district during such periods. This was, to a very great extent, true. What was needed was a new routing of the lines in the congested districts. No attempt to apply this remedy however had ever been made by any city administration during the years that Boss Cox dominated every department of the government of Cincinnati.

When Mayor Hunt assumed office he devoted his energies at once to securing improved street railway service. In order to deal with the problem intelligently he recommended the employment of a traction expert to make a careful survey of conditions and to report upon a comprehensive system of rerouting and also as to the number of cars that should be run over each line, in order to produce adequate and satisfactory service. Council made an appropriation for the purpose and R. W. Harris, of Milwaukee, considered the best expert in the country for the task, was employed to investigate and report as to what should be done. Mr. Harris with a large corps of assistants spent several months studying the situation and, based upon some six million observations relative to existing conditions, made a comprehensive report as to rerouting and as to the number of additional cars needed.

The report he submitted recommended the addition of sixty-five new cars at once. The traction company not only consented to comply with this recommendation, but ordered seventy-five additional cars. These new cars, of the most improved type, have now been in operation for several months. The traction company also expressed its willingness to reroute its lines as soon as the council should pass the necessary rerouting ordinance. When Mr. Harris' rerouting plan came before the council, however, many who owned property along the old lines began to protest against the changes therein proposed. After months of public discussion, and with but few changes in the plan recommended, the rerouting ordinance was finally passed and the traction company is now preparing to install the new system at the earliest possible date.

During this rerouting discussion, Mayor Hunt realized more than ever

that Cincinnati was greatly in need of a rapid transit urban, as well as interurban, service. The interurban service which Cincinnati now has is unsatisfactory, because all interurban cars must use the same tracks, within the limits of the city, as are used by the cars of the local traction system. On this account, not only has the problem of congestion been made more difficult, but much more time than should be consumed is required for the transportation of interurban passengers to the heart of the city.

To deal intelligently with the city's rapid transit problem Mayor Hunt appointed a rapid transit commission. The members of this commission raised a fund and employed Bion J. Arnold, of Chicago, a traction engineer of national reputation, to make a survey and to recommend the best plan Cincinnati could adopt to secure adequate rapid transit service. Mr. Arnold, after devoting several months to the study of the local situation, reported his conclusions. He advocated the construction of a loop encircling the city's hills, parts of which were to be built underground and parts on the surface and overhead. The report was considered by civic and business organizations and met with general approval; but Mr. Arnold's estimate that the project would cost about \$7,000,000 seemed to be a stumbling block to many. In order to meet the objections relative to cost which had been raised, Mayor Hunt entered into negotiations with the traction company for the purpose of inducing it to agree, in the event of the construction of the proposed rapid transit loop by the city, to lease and operate the system, and to pay as rental for the property an amount sufficient to pay interest and sinking fund upon the cost of the improvement. The mayor's proposition also provided that the company should grant as many transfers to and from its existing lines as might be necessary to enable passengers to ride from any one point to any other point, in the same general direction, within the limits of the city. In connection with and as a part of this new arrangement Mayor Hunt proposed to effect a resettlement with the traction company of its existing franchise by the substitution of an indeterminate franchise in place of its fifty-year grant, through an agreement as to the valuation of the system and the amount of interest thereon the company should be allowed to earn. Provisions relative to fares and regulation of service were also to be fully provided for in the new contract.

Mayor Hunt's negotiations with the traction company were progressing favorably when they were abruptly and seriously interfered with by the introduction of a bill in the general assembly providing for the revocation of the franchise of the Cincinnati Street Railway Company. This drastic measure was fathered by Herbert S. Bigelow, a member from Hamilton County, in which Cincinnati is located. Mr. Bigelow is a Democrat of the ultra radical type, and as municipal ownership as well as municipal

operation of all city utilities formed a part of his platform, he had for years been waging a bitter war against the Cincinnati Traction Company. Through the passage of his revocation bill Mr. Bigelow hoped to bring about the acquisition by the city of the street railway system at a figure far below that which the city would otherwise undoubtedly have to pay for the property.*

The right of the general assembly to revoke the franchise granted by the city to the street railway company was based by Mr. Bigelow on article 1, section 2, of the constitution of Ohio, which reads as follows: "No special privileges or immunities shall ever be granted that may not be altered, revoked or repealed by the general assembly."

In the opinion of Mayor Hunt and of many other lawyers of the Hamilton County bar, the clause of the constitution quoted relates to privileges and immunities granted by the state in articles of incorporation and was introduced by the framers of the constitution of 1851 for the purpose of making it perfectly clear that charters might be altered, amended or repealed, and to prevent their being construed to be contracts and, therefore, irrevocable, in accordance with the doctrine laid down by the supreme court of the United States in the Dartmouth College case. In the opinion of many able lawyers the clause in question was neither intended, nor does it apply, to the right which a city has granted to a company to run cars over some of its streets, and which formed an essential part of the contract entered into by the company with the municipality to furnish transportation to the inhabitants thereof, upon specified terms and conditions.

During the entire sixty-two years since the adoption of the clause of the Ohio constitution under consideration and prior to the introduction of Mr. Bigelow's bill, there had never been the least suggestion that the provision might be interpreted in the manner that Mr. Bigelow claims it should be construed. In this connection it is well to bear in mind that the constitution of Ohio, as well as the constitution of the United States, provides that no laws shall be passed impairing the obligation of contracts.

In the case of the *Omaha Water Company vs. The City of Omaha*,² the court held as follows:

Neither the power of a municipality to contract with a third party for the construction and operation of waterworks, street railways or other public utilities, nor the right of such a party under such a contract, constitutes a special privilege or immunity within the meaning of those terms in section 16, article 1, of the constitution of Nebraska which prohibits the legislature from "making any irrevocable grant of special privileges and immunities."

* 147 Fed. Rep., page 1.

The power to alter or repeal general laws under which corporations have been organized, reserved by section 1, article xiii, of the constitution of Nebraska, 1875, is limited by section 18, article i, of the same constitution, which forbids the passage of any law impairing the obligation of contracts, and it does not reserve to the legislature the power to destroy or impair the contract of third parties with such corporations.

The foregoing decision was practically affirmed by the supreme court of the United States by the denial of a writ of certiorari on December 23, 1907.³

Even if the clause in question were susceptible of the construction placed upon it by Mr. Bigelow, there is no doubt that a very large proportion of the citizens of Cincinnati are firmly of the opinion that the power of revocation should not be exercised by the general assembly, as such exercise would be unconscionable and unmoral. Such action they maintain would amount to the repudiation of a solemn obligation and the confiscation of private property. If the terms of the franchise have been violated by the street railway company, resort to an action of forfeiture is, in their opinion, the proper remedy. If the city deems it desirable to acquire the property and no satisfactory agreement of purchase can be arrived at, the institution of condemnation proceedings is, in their judgment, the only legal and just course to pursue. These are the views entertained by many of Cincinnati's most important and most influential civic and business organizations. By impassioned appeals, however, Mr. Bigelow was able to bring some of the labor organizations as well as a few other associations to the support of his revocation measure.

Notwithstanding the introduction of the Bigelow bill Mayor Hunt persisted in his efforts to reach an agreement with the traction company that would, in his judgment, give to the city of Cincinnati as good transportation facilities as are enjoyed by any American municipality. Under the terms of the settlement which was finally concluded, the valuation of the entire street railway system is to be arrived at in the following manner: The sum of \$18,738,950—the amount of the capital stock of the lessor company—is to be allowed without further question. Without this concession no amicable settlement whatever could have been effected, as the lessee company was under obligation to pay 6 per cent interest upon this amount to the lessor company. The amount actually expended by the lessee company in betterments is to be ascertained by a board of appraisers and also allowed, but in no event can this amount exceed the sum of \$9,716,286. Should this entire estimate be allowed, the total valuation of the property would be \$28,455,236. In consideration of the city's agreement to permit the company to earn 6 per cent on the valuation finally fixed by the board of arbitrators, the street railway company has

³ 207 U. S., 584.

agreed to a surrender of its fifty-year franchise and the substitution therefor of an indeterminate grant. The city is to have the right to purchase the property at the end of any five-year period at the valuation fixed by the arbitrators. All matters relating to service are to be regulated by the city. Although the cash fare is to remain 5 cents, the company is required to sell six tickets for a quarter. Universal transfers must be granted. The city is to build the rapid transit loop and the traction company is to lease and operate it and to pay a rental therefor which will meet the interest and sinking fund charges on the bonds issued to defray the cost of improvement. The rate of fare on the rapid transit loop is to be 5 cents including transfers to the surface cars of the entire system. Surplus profits in the operation of either the loop or surface cars are to be divided between the city and the traction company. Fares are to be revised every five years.

Before this tentative agreement goes into effect, it will have to be ratified by a vote of the electors of Cincinnati. No date has yet been fixed for the submission of the question to the voters of the city.

When the proposed settlement between the city and the traction company was reached the general assembly was still in session and the fate of the Bigelow bill was still a matter of conjecture. The measure received a very large vote in the house, but died in the committee of the senate to which it had been referred.

Since the defeat of his revocation measure Mr. Bigelow has been more active than ever in his fight against the traction company. He has organized and is president of a municipal ownership league. By means of this league he hopes to be able to prevent a ratification at the polls of the tentative agreement arrived at between the administration and the traction company. If he accomplishes this end he will bend his efforts to bring about the acquisition by the city of the street railway system through condemnation proceedings. He proposes that the city shall not merely own, but also operate its traction lines.

Mr. Bigelow has rallied support to his plan mainly on account of his charge that the collection of a 5-cent fare is robbery, and by his emphatic assurances that under municipal ownership and operation the rate of fare in Cincinnati would not exceed 3 cents. The argument constantly advanced by Mr. Bigelow is that inasmuch as street railway transportation is furnished to the citizens of Cleveland at a 3-cent rate, there is no reason why the people of Cincinnati should not enjoy an equally low fare. The soundness of this contention is certainly open to serious question. By advocates of the traction settlement favored by Mayor Hunt, Mr. Bigelow's reasoning is regarded as absurd and ridiculous. They charge him with making promises impossible of fulfilment for the sole purpose of alluring ignorant voters to accomplish the defeat of the trac-

tion settlement plan recommended by the administration. Attention is called to the fact that Cincinnati is confronted by conditions that vary materially from those that prevail in the city of Cleveland. Cleveland is level, whereas Cincinnati is made up largely of hills, many of which are very steep. To mount these hills inclined planes which increase the cost of operation are essential. Cleveland has nothing of the sort to contend with. Heavier motors and more current are required to operate Cincinnati's cars. By reason of the steepness of the grades, accidents are much more likely to occur. The use of trailers is impossible. That these conditions tend materially to increase the cost of operating the system must be admitted. Then again Cleveland is a city of forty-seven square miles, whereas Cincinnati covers an area of seventy square miles. Under Cincinnati's universal transfer system passengers may ride from eighteen to twenty miles for 5 cents. The average haul in Cincinnati is undoubtedly much greater than in Cleveland. Another very important factor is that Cleveland has a population approximating 600,000, while Cincinnati's population is less than 400,000. During the decade between 1900 and 1910 the increase in Cleveland's population was about 47 per cent, whereas that of Cincinnati increased but 11.5 per cent during the same period. It certainly must be admitted that these widely different circumstances must be taken into consideration in any just determination of reasonable rates of fare. In the opinion of many who have made a careful study of the question, the six-for-a-quarter rate to which the Cincinnati Traction Company has agreed, is, under all the circumstances, a more reasonable charge than the 3-cent rate that now prevails in the city of Cleveland.

One of the grounds upon which Mr. Bigelow bases his vigorous opposition to Mayor Hunt's plan of settlement is the valuation of the traction system which has been tentatively agreed to. In his judgment this valuation is many millions higher than it should be. His estimate of the value of the entire property is but \$14,000,000.

In order to test the accuracy of Mr. Bigelow's promise that under municipal ownership and operation the charge for transportation would not exceed 3 cents, let it be assumed that the city might acquire the entire street railway system without the expenditure of a dollar. The cost of operation, excluding taxes, for the year 1912, was about \$2,700,000. To this must be added the taxes which the company was required to pay and which aggregated approximately \$700,000. The total cost of operation last year was, therefore, \$3,400,000. To this figure should be added at least \$500,000 in order to provide for the payment of wages in accordance with the standard Mr. Bigelow deems but fair and just. The cost of operation would thereby be increased to \$3,900,000. Better service—more cars, more employees, more power, more wear and tear—would re-

quire an additional annual outlay. During the year 1912 the company carried about 100,000,000 passengers. At a 3-cent fare a gross income of \$3,000,000 would be produced. This calculation demonstrates that without any allowance whatsoever for better service and without any provision whatsoever for interest on capital invested or on the mere physical value of the property, the cost of operating the system, under Mr. Bigelow's plan, would result in an annual deficit of about \$900,000.

Among the obstacles that have confronted Mayor Hunt in his relentless fight to secure better transportation facilities was the strike of the conductors and motormen of the traction company which occurred during the latter part of May and for which Mr. Bigelow was largely responsible. Fortunately the strike lasted for but a brief period. Through the efforts of Mayor Hunt and others, arbitration of all differences between the traction company and its employees was agreed to within ten days. The fact that Mr. Bigelow made no effort whatever to bring about the prompt and amicable settlement which was effected should be borne in mind. That the strike was so speedily terminated was undoubtedly a great disappointment to him.

At present writing a campaign for a new city charter is waging in Cincinnati. Within a few days the voters of the municipality will determine whether or not a new charter shall be formulated and to whom the task of drafting the instrument shall be entrusted. Fifteen charter commissioners are to be chosen. Two tickets have been nominated; one of them by Mr. Bigelow and which is known as the "Civic and Labor Ticket" and the other by the Chamber of Commerce, Business Men's Club, Federated Improvement Association, City Club, Taxpayers' Association and citizens generally, and known as the "Citizens' Ticket." Immediate municipal ownership and operation of all public utilities has been the principal appeal for support advanced by the candidates on the Bigelow ticket. The fifteen men who are opposing Mr. Bigelow's candidates believe that a new charter is needed and that the municipality should have power to acquire and operate all public utilities but are not in favor of immediate municipal ownership and operation. There is also a strong movement against making any change in Cincinnati's form of government at the present time.

Just how Cincinnati's traction problems are to be solved will depend largely upon the result of the approaching charter election.

THE STATUS OF LIQUOR-LICENSE LEGISLATION

BY JOHN KOREN¹

Boston

THE bald truth is that, viewed as a whole, the liquor legislation of the United States invites bewilderment and despair rather than admiration and confidence. I am not referring to the state-wide prohibitive measures which are *sui generis* and stand chiefly for pledges unfulfilled because impossible. Nor is the question here primarily of local option laws in their various manifestations, but of legislation intended to regulate a traffic in liquor; and in respect to this conditions in the United States must be described as chaotic instead of well ordered. In other words, the sum total of our efforts to legislate concerning an exceedingly difficult social problem is unintelligent and therefore largely ineffective. How can it be otherwise so long as the laws aiming to regulate "an inherently dangerous traffic" proceed largely from unthinking agitation, careless or undirected experimentation, hasty piling of inconsequential statutes upon statutes and endlessly amending them in unessential details?

Perhaps most people are not aware of the true state of affairs. Others regard it complacently except when the legal machinery created for us shows too obvious signs of breaking down, and then are content to have some more tinkering done by incompetent hands. Whether we blame ignorance or indifference, the fact remains that what we are pleased to call systems of liquor legislation are, for the greater part, crude make-shifts that fail of their purpose and often prove a stumbling block in the way of good government. In proof of this, it almost suffices to state that there are nearly as many systems of dealing with the liquor traffic as there are license states, notwithstanding many points of similarity. Yet, given the same problem; which everywhere produces an abundant crop of the same perplexities, it is unthinkable that it can be met with equal success through regulative systems that differ in fundamental principles. Even a superficial consideration of the chief characteristics of present-day liquor legislation makes this clear. Space permits reference to but a few of them.

The pivotal question in all regulation of the liquor traffic is that of the authority delegated to grant privileges to sell. In its simplest form it

¹ Mr. Koren is secretary of the National Municipal League's committee on the liquor problem, and of the American section of the international committee for the scientific study of the drink problem. He was also the expert investigator for the committee of fifty, of which the Hon. Seth Low was chairman.

is a question of regulating use and stopping abuse. On all sides it is agreed that the traffic cannot safely be left to seek its own level. But in regard to the means by which it should be directed and supervised there appears to be a singular variety of opinion as expressed in current legislation. Indeed, its diversity is almost bewildering, as may be gathered from the following summary reference to the laws on this subject of some of the states.

In a few instances the liquor traffic appears to be primarily an object of fiscal solicitude, although it may be hedged in to some extent by restrictive conditions under which the right to sell is granted, denied or canceled. Thus, New York has accepted the theory of a liquor tax law made operative through a state excise commissioner. It marks the culmination of a long series of disappointments with local licensing bodies and perhaps more the cupidity of the "up-state" people who wanted to get the license revenue for the State, hoping incidentally to make political gains out of the excise department.

Iowa can be said to dodge the whole issue because it takes refuge on a so-called mulct-law, which may be described as a device for imposing a money penalty, really amounting to a tax, upon a constitutionally outlawed traffic. Other states, exemplifying the idea that liquor laws are primarily for the purpose of taxation and not of regulation, are California, where the tax collector is the chief functionary in dealing with privileges to sell liquor, and Florida, with its state license issued by the county tax collector, but countersigned by the county judge. In the two last-mentioned states, however, restrictive measures are given a degree of recognition. The municipalities of California have a wide discretion in dealing locally with liquor selling.

Most of the states still hold to the principle that the chief object of liquor legislation is not to tax the traffic but to regulate it. That is, the license is regarded as a privilege to be granted, withheld or abrogated by specified authorities, usually upon conditions more or less circumstantially defined and intended to safeguard the interests of the community. The underlying theory seems simple, perhaps, but the efforts to work it out in practice have given rise to an astounding variety of legislation and much experimentation. The statutes enacted on the subject have been legion, and the end is not yet.

To the question under whose authority licenses to sell should be granted, hardly two states return precisely the same answer; and when it is asked further under what restrictions and upon what conditions the privilege may be allowed, the divergence becomes much more striking. Most of the laws defining licensing bodies rest upon old foundations, while others have wholly abandoned them and reach out for something new. There is not space to enumerate separately the chief statutory provisions in

regard to licensing authorities and their duties. It must suffice to give some examples, with the briefest possible reference to the status of this matter in most of the license states.

Perhaps no commonwealth furnishes a more perfect example of confused conditions relative to licensing authorities than New Jersey. There licenses to sell liquor may be granted: (1) By the court of common pleas; (2) by a city council, common council, board of aldermen or other governing body; (3) by an excise board appointed by the court of common pleas; (4) by an excise board elected by a city council or other governing body; (5) by an excise board nominated by a mayor and confirmed by a city council; and (6) by an excise board chosen at a general election. It is held, moreover, that when a city adopts the commission form of government under the new law, all power to deal with liquor licenses becomes vested in the commissioners. The statutes from which these different licensing bodies derive their existence date as far back as 1838 and reach down to 1911. It can hardly be maintained that New Jersey attempted to meet half a dozen essentially different conditions within her borders by as many varieties of licensing authorities. They appear largely to be the results of accident rather than of a well-conceived plan. The restrictions to be placed upon licenses seem for the greater part to be of local invention. It is legislation *ad hoc*.

Investigators of the subject commonly regard it as fraught with special danger to give the licensing power into the hands of a locally elected government body. One generally finds in the practice a survival of old legislation which may or may not be bolstered up by many restrictions and conditions governing the actions of the licensing body. Among the states entrusting the delicate function of licensing the sale of liquor to some local government body, the following may be mentioned:

In Colorado, the county commissioners, city council and village board of trustees license within their respective domains. A state license is also required. Connecticut licenses are issued by the county commissioners upon endorsement of a certain number of electors. Remonstrance and hearings are provided for. Illinois has the same divisions of licensing authorities as Colorado. Indiana employs the county commissioners as licensing authorities, but under very elaborate rules and restrictions. The right of remonstrance is provided for in profuse detail. Louisiana makes parish juries and city councils the licensing bodies. Michigan allows township board and village and city councils to regulate the traffic, mostly under local ordinances. In Minnesota, the power is vested in county commissioners and village and municipal authorities under stringent conditions and requirements in regard to bonds, sureties, etc. The Montana licensers are the county commissioners and city councils. Nebraska authorizes the county commissioners to license the traffic, also the corpo-

rate authorities of cities and villages, except that in cities of the "Metropolitan" class and those having between 25,000 and 40,000 population this duty is performed by the board of fire and police commissioners. An application must be made on petition.

In Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming, the licensing power is vested in the local government body, except that for districts in Oregon outside of cities and towns it is given the county courts. In Rhode Island the local government body is also supreme in licensing affairs, but indirectly through license commissioners appointed by it, except in Providence where the board of police commissioners act as such. It should be noted that in cities under the commission form of government, the licensing power usually lies with the commissioners, but not invariably, as it may be vested in state officials.

Obviously, no licensing body is so likely to be swayed by political and bad trade influences as the ordinary local government board. For this statement there is too ample warrant. Yet it is hardly reflected in the legislation of some states, while others rely, as we have seen, upon fencing in what may be done or not done by all sorts of restrictions and give free play to the power of remonstrance.

Another group comprises states that, if I read the history of their laws correctly, have become less credulous about the efficacy of mere law, or have grown chastened by experience, for they have largely or altogether shorn the local government bodies of authority to license the traffic. In some cases a measure of home rule is preserved by the creation of locally chosen excise boards. The Massachusetts law, for instance, prescribes that in cities, except those having a licensing board created by special statute or under the provisions of a charter, there shall be a licensing board of three members, appointed by the mayor, while in towns the board of selectmen exercise the licensing power. For the city of Boston, after various abortive experiments with locally chosen license officials, a board of excise appointed by the governor has been established. When Alabama recently abandoned prohibition, the state board showed its distrust of locally elective or appointive licensing authorities by providing that in each city or town where the sale of liquor is authorized, (under the operation of local option), an excise board shall be established whose members are appointed by the governor. New Hampshire has gone a step farther in creating a state licensing board with exclusive authority. In Missouri, cities of more than 300,000 population must have an excise commissioner who alone may grant saloon privileges. Vermont has local license commissioners appointed by the assistant judges of the county court.

The latest experiment with excise boards is that about to be tried by Ohio under an act passed in May of this year which became operative in

August, in virtue of the enabling constitutional amendments adopted in 1912. Formerly the constitution of Ohio did not countenance the licensing of liquor selling, and the traffic was maintained under a tax law which left regulation to the local community. The new act creates a state licensing board of three members, appointed by the governor. This state board appoints for each county throughout which the sale of liquor is not prohibited by law, a county licensing board of two members, with power to remove them for cause. The county boards have general jurisdiction in licensing matters, subject to law and to revision by the state board to which appeals lie from all final decisions of a county, except in cases of suspension or the rejection of an application. The prescriptions in regard to license conditions, etc., are very elaborate. One noteworthy innovation is that, upon petition of 35 per cent of the electors of a municipality, a special election may be held to decide whether saloon licenses shall be further limited than provided by the statute (one to five hundred of population).

Still another group of states, apparently distrustful of all elective government boards as well as of appointive excise commissioners, charges the courts with the duty of issuing liquor licenses. Arkansas utilizes the county courts for this purpose, and selling privileges are only issued in cities and towns. Kentucky likewise employs the county courts as licensers. Various restrictions and conditions are imposed, among them that due consideration shall be given the needs of a "neighborhood" in which a license is applied for, but leaves it to the court to define the neighborhood. With the exception noted above, Missouri law makes the licensing body. New Jersey, as we have seen, utilizes the court of common pleas in part. Pennsylvania requires the courts of quarter sessions to deal with liquor licenses, and no longer excepts certain localities by special statute as in former times when the city of Philadelphia, for instance, had its own excise board. In Virginia, all licenses are issued by the circuit or corporation courts. Texas relies upon its county courts, and requires that all applications shall be rigidly scrutinized by the state comptroller of public accounts. Maryland takes a partial step toward court regulation of licenses by conferring the authority upon the clerk of the circuit court (for Baltimore the clerk of the court of common pleas).

There is not space to enumerate the different kinds of licensing bodies that may exist under special city charters. It should be remembered, however, that with the advent of the commission form of government a new species of licensing authority has come into the field of whose doings for good or evil there is as yet little evidence, but which offer an interesting field of study.

I have dwelt at some length upon the subject of license authorities, not only to show the variety of expedients resorted to, but because it is

the crux of the situation. One many fairly assert that as a rule the liquor traffic takes its color from the body which exercises the licensing power. If this is inefficient or caters to unclean interests, the traffic surely sinks to lower levels and *vice versa*. It matters, under certain circumstances perhaps greatly but is not so fundamental, by what devices state or local laws attempt to hold a licensing body to a performance of its difficult task through specific prescriptions. *The essential thing is to have authorities of the right caliber and trusted character.* The most carefully elaborated regulations in licensing and supervising the sale of intoxicants may become a dead letter unless executed by persons endowed with broad views and plenty of backbone and who set a just performance of duty above aught else. This is a truism as old as the history of liquor legislation.

There is, then, throughout the United States, a bewildering array of methods designed to work out the knotty questions of controlling the liquor traffic in the interests of the whole community. Some may contend that here and there current methods have passed the experimental stage, yet it is an unsafe generalization when applied widely, for although some of the licensing authorities themselves are above the thought of suspicion, the conditions of law under which they labor may prevent them from making their dictates wholly effective. The ideal system of licensing is perhaps still to be evolved. Meanwhile it is too patent that in numerous cases, probably in most, the licensing machinery is working badly or has already demonstrated its inherent unfitness.

The origin of these utterly different methods of licensing, which relate not only to the choice of excise authorities but to the legal provisions that govern their functions, is not difficult to trace. Most license legislation has as its foundation ancient fragments of law upon which the statutory structure has been reared by slow degrees. The usual method has been to pass new laws to meet specific evils, as they arise, pinning faith on restrictions and penalties, with little effort to search out sound principles. Ordinarily two parties are busy about liquor legislation! The persons whose sole conception is to surround the traffic with a multitude of prohibitions since they cannot wipe it out altogether, and, opposed to them, the trade interests, who fight for their own. Outside stands the great public with little voice in the final outcome and too often disposed to accept with meekness the hodge-podge legislation handed them.

Is there no better way? Surely out of the experience with many licensing systems, with legislation embodying a multitude of experiments, it must be possible to extract some guiding principles of the utmost value to future legislation. The ancient method of fabricating liquor laws solely on a theory, or entrusting the process to those whose aim is obstruction rather than sane regulation, has gone by. To those whose philosophy

in dealing with the liquor question, as with other complicated social problems, is summed up in the word "experimentation," it should be said, Experiment by all means; but, for goodness sake, base your efforts upon careful study of the results experience yields!

Although the liquor problem engages the attention of our law makers year by year, and is constantly in the public eye, there has been a pitiful lack of competent study of its legislative phases. The fulminating literature against abuse of liquor and the vociferous demand for sumptuary laws do not meet the issue. In fifteen years or more not a single far-reaching investigation has been made of the subject. Meanwhile our legislative mills have turned out a varied assortment of grist, and some significant changes have taken place which must not be ignored.

The question of regulative liquor legislation has largely ceased to be one of supreme importance to the rural district and the village. It has emphatically settled down to be, what it once was not—a municipal problem. Those who are entitled to speak for the trade have of late reiterated again and again that their interest lies altogether in maintaining the traffic in the municipalities, and there is evidence enough to warrant our taking them at their word. The liquor question as a municipal problem certainly looms large enough. In 1910 (the latest available figures are for this year), there were only 28 cities of over 30,000 population out of a total of 184 in the United States which were not actively concerned with the business of regulating the legalized liquor traffic, not to mention the large number of smaller communities that have to face it. Of course one may assume that not all of these 28 municipalities were exempt from the troubles arising from an illegal traffic.

There are, to be sure, those who strenuously deny that the ultimate problem is one of regulation even so far as municipalities are concerned. Throwing the experience of generations to the winds, they hold with unreasoning faith that by a legislative fiat the whole problem can be solved; and they accept no alternative. Yet, whether one likes to admit it or not, the old question abides, and those who would do more than dream must listen to it: What can be done to secure a saner and safer conduct of a traffic which so vitally affects the order and well-being of our municipalities?

Hitherto there has been a tacit understanding in license legislation that no help or coöperation could be expected from representatives of the trade. Instead the aim has solely been to antagonize and rout them. If at any time this was at all wise it is so no longer. Hateful as the admission may be to some far-sighted men are beginning to realize that future regulative measures must be worked out in coöperation with the chief spokesmen for the trade, who are persuaded that evil conditions are not conducive to their interests and therefore would welcome whatever

makes for stable albeit stringent supervision. They admit the besetting dangers of the traffic as well as the need for housecleaning. Is not an appreciation of this a better guide to action than the spirit of oppression or suppression which invites opposition at each stage and invariably defeats the end sought? There lurks no thought behind this of compromising with patent evils; but of employing effective means of minimizing them. Objection to this view can only be raised by those whose zeal obscures their vision of the attainable.

Although perhaps the largest issue in any regulative scheme is the choice of licensing authorities, it is not the only test of effective liquor legislation. Closely allied to it are questions of delineating the power of excise authorities, whether it should be severely restrictive or made elastic; how far the state should undertake to prescribe minute rules governing selling or whether the local community should have a voice in formulating them; how licenses should be classified not only for purposes of taxation but with an eye to public safety; how far abuse may be prevented by favoring the sale of lighter beverages as against the more alcoholic, etc. These and many other related questions are inseparable from a competent scheme of liquor legislation.

It has already been intimated how diversely our lawmakers answer them, and, one may add, how ineffectively in most instances. The liquor laws of some states are infinitely to be preferred to those of others as making for decent conduct. Yet the statutes of no one commonwealth embody the final wisdom nor do they offer a universal model. But is not one remedy against all this faltering, this blind experimentation which frequently does not live beyond two legislative sessions, patient inquiry, an elucidation of facts and principles and an intelligent comparison of results? The everlasting agitation and heaping up of new measures demonstrates abundantly that there is something amiss. Hitherto we have mostly been concerned—it is an American habit of mind—in casting about for some new legislative expedient with child-like faith in the efficacy of any additional “thou shalt not.” It irks us to seek out facts and painstakingly lay bare the results of wide experience that we may build up a safer structure. Yet we admit that to capitalize experience spells progress.

Fully persuaded of some of these things and how intimately the liquor question bears upon the community life, the National Municipal League,² through one of its committees, has essayed to study especially some of

² The National Municipal League's committee on the liquor problem consists of Camillus G. Kidder, Orange, N. J., chairman; Very Rev. Walter T. Sumner, The Cathedral, Chicago; John Koren, Boston; Arthur H. Hall, Minneapolis; President S. C. Mitchell, University of South Carolina; Maynard M. Clement, Albany, N. Y., former excise commissioner of New York; Prof. F. Spencer Baldwin, of the Boston

the chief legislative phases of the subject. The League has already given it some attention.

It might almost seem impertinent to emphasize anew how large a factor the liquor traffic is in municipal affairs. It is a commonplace to speak of the dangers adhering to the traffic. If left uncontrolled, intolerable excesses follow, as all the world knows. It is equally commonplace to regard the traffic as a dangerous element in politics. The story of rum-ridden city governments, of saloon-owned police officials, with all its unsavory details, has often been told. No investigation is needed to convince anyone that these things have existed and do now exist, in municipalities under license as well as in those from which the law has formally banished the traffic. But what underlies such manifestations? The existence of abuses of one kind or another argues, in the first instance, lack of proper control or the employment of inefficient methods. It is history that excesses can be done away with. And there is no inherent relation between liquor selling and politics. The business easily gravitates toward it, sometimes from sheer greed, and very often as a matter of self-defense against oppressive and unjust measures. But there is no necessary connection. There are cities in which the traffic has been subjected to legal restraint in the same way as other business, where it has no dominant voice in government and where it is under, not over, the police powers, and where excesses are summarily suppressed. To deny this were to confess to a situation not offering a ray of hopefulness.

Why, then, does the status of the liquor traffic present such marked

University, and Prof. Augustus Raymond Hatton of the Western Reserve University, Cleveland.

The National Municipal League, as a matter properly incident to its study of municipal problems decided to undertake a further research, building upon the foundation of some of the work of the committee of fifty; but carrying the investigation much further in certain limited aspects. By diligent and painstaking research, the committee of the League hopes to arrive at definite, practical results which may serve as a basis for legislative action. The hope will be that ultimately, through sound legislation as nearly uniform in character as possible, the liquor traffic may be divorced from politics, graft and the social evil. That this is possible, the success of efforts in a few localities gives strong reason for hope.

Recognizing that this will take much time and that it is advisable to concentrate the initial enquiry upon one important phase of the problem, it decided, upon the report of a committee appointed to outline the scope of the work, to confine the activities of the League in the first instance to one definite, particular thing, namely, the licensing question, who should issue liquor licenses, what should be their powers and what legislative restrictions should govern their actions.

So far no far-reaching authoritative study has been made of the licensing question. Yet the whole history of license regulat on shows it to be the crux of the situation. A careful study of the practical workings of each of the various methods will, it is hoped, find the better way. The general adoption of the best system of granting licenses will be a long step toward the solution of the whole problem.—EDITOR.

contrasts in different municipalities? Ideals are not everywhere the same, to be sure, but human nature is. The bottom cause must be sought in the divergent regulative means and measures employed. The League has set itself the large task of finding out about these things, convinced that much needed information can be extracted by a patient study of them. How far it may succeed depends, in the first instance, upon the kind of support accorded the undertaking.

Competent men are already at work upon this problem; but if the results of their inquiry are to command the approval of intelligent and unbiased citizens in every state, if they are worthily to supplement and complete the labors of the Committee of Fifty, these results must be formulated and tested by men who make such work the business of their lives, their labors must be adequately supported, the expenses paid and the investigators compensated.

The burden of the foregoing article is that the liquor problem is now mainly a problem of municipal government; that it cries for solution and that it can be solved.

SHORT ARTICLES

THE CITY-MANAGER PLAN OF GOVERNMENT FOR DAYTON¹

ON AUGUST 12 the voters of Dayton, Ohio, approved a charter giving to that city a "city-manager" plan of government—making it the first American municipality of considerable size to secure this form of government. To this feature of a "controlled executive" has been added a number of progressive administrative ideas.

The power is vested in a non-partisan commission of five, elected at large, in the place of the ward council. It was urged by a number of authorities on municipal matters that the commission would be more representative were its number nine or seven, rather than five, but the latter number was agreed upon in order to secure a shorter ballot. None of the candidates are for designated offices, so the preferential form of voting was discarded for the ordinary primaries with a later election—it being thought impractical to ask voters to designate five first, five second and five other choices. Consideration was given the Hare proportional representation

¹ With its adoption in Dayton, the increasing interest in the city manager plan of municipal government is now elevated to the status of an important movement. Every charter revision committee must now reckon with this plan, and in fact such committees are already doing so. The real pioneer, of course, is Sumter, S. C. (8000 population), which has had the plan in effect since January 1. Sumter in turn got it from Lockport, N. Y., whose board of trade presented the plan fruitlessly to the state legislature two years ago. Dayton being the first real city to adopt the plan, seems destined to assume the position which Galveston and Des Moines have occupied in relation to the commission plan.

The basic theories involved in the position of an appointive city manager, holding office at the pleasure of an elective commission, have been dealt with at length in an article entitled "The Theory of the New Controlled Executive Plan," by Richard S. Childs, in the January, 1913, issue of the NATIONAL MUNICIPAL REVIEW. In brief, the theoretical gains are as follows:

Unlike the Des Moines type of commission plan, it gives complete unification of the administrative establishment.

It makes it possible to have a permanent professional expert administrator.

It abolishes the one-man power in the mayor-and-council plan (since this executive is under continuous control).

It leaves the people free to choose candidates simply as representatives, unlimited by any implied requirement as to executive experience or capacity to earn a large salary. (This feature is of especial interest to labor.)

It abandons the unscientific plan of attempting to select executive experts by popular election for short terms.

Except as to its civil service provisions, the Dayton charter is a valuable contribution to the progress of municipal government. Its features in detail are discussed in this article.—EDITOR.

scheme, but it was discarded for the time being, in the belief that its use would foster political alignment in municipal elections. Elections are to be held every two years, the three candidates receiving the greatest vote at the first election being chosen for a four-year term, the others for two years. The candidate receiving the highest vote at the election at which the greatest number of commissioners are elected shall be mayor, to perform the few duties incumbent upon him by general state law, and "for ceremonial purposes." All members of the commission, as well as the city manager, are subject to the recall upon a 25 per cent petition of the registered electors.

In distinction from the straight commission plan the duties of the commission are purely legislative—passing the annual appropriation ordinance, police and public improvement regulations, with the usual legislative power to investigate the operation of any department. The city manager, chosen to serve at the pleasure of the commission (with the recall provision), is the administrative head of the government, appoints and fixes salaries of his immediate subordinates including the principal departmental and sub-departmental heads and their deputies, and is personally responsible for the entire administration of the city. There is a striking analogy between the functions and accountability of this officer and his superiors, as compared with the similar position of the superintendent of public instruction and the school board in many localities.

To comply strictly with managerial theories the executive should be empowered to employ and dismiss such of his employees as he desires, and to stipulate such compensation as he deems necessary. In this instance civil service clauses are incorporated, which provide examinations to determine persons eligible for appointment in all but a small unclassified service; insure the standardization of wages and equal pay for equal service in all branches of the government; create a six months probationary period before appointment; and which requires the certification of all payrolls by the chief examiner—all features of a modern merit law. However, it is further provided that the manager, in consultation with the chief examiner, shall make the designations for appointment *from the entire eligible list*, rather than from the three highest. Such a rule conforms with private business practice, but in public affairs will probably secure employment for the politically desirable, and serve to vitiate the entire merit system. Nor did the charter commission carry their theory of independence in the selection of city employees to its logical conclusion—freedom to hire and dismiss at pleasure: persons employed cannot be permanently relieved from duty except by substantiation of charges before the civil service board. It is doubtful if such a law meets the requirements of the state constitution, which provides that appointments shall be made according to fitness and merit.

As would be anticipated, the powers and duties of the manager are a summation of all powers usually granted to the heads of departments, boards, or units of government over whom he will have supervision and control. Such duties will comprehend:

- a. Supervision of departmental administration.
- b. The execution of laws and ordinances.
- c. Recommendation of legislative measures.
- d. Appointment of officers and employes, subject to the provisions of the civil service sections.
- e. Preparation of reports.
- f. Preparation of the budget.

After lengthy debate relative to the merits of leaving the creation of departments and the distribution of their powers to the legislative body of the city, such plan was adversely decided upon. The departmental organization of the city consequently has been specified in the charter, permitting fundamental duties to be assigned to the more important departmental heads. A reservation is made, however, by which the commission may create additional departments, and may discontinue or distribute their functions. The charter organization of the city, excepting schools and the courts controlled by general state law, is practically as follows:

- 1. The Commission (subject to initiative, referendum, recall and protest).
 - A. Civil service board.
 - B. City manager.
 - 1. Department of law.
 - 2. Department of public service, comprising the construction and maintenance of streets, sidewalks and sewers; collection and disposal of waste; and management of public utilities.
 - 3. Department of safety, comprising the divisions of fire and police; building inspection; and the enforcement of ordinances relating to weights and measures.
 - 4. Department of finance, comprising the divisions of accounting, the treasury, and the purchasing of supplies.
 - 5. Department of public welfare, comprising the divisions of health, parks and playgrounds, charities and correction.

A provision borrowed from Germany, but unique in American practice, recommends the appointment of a city-plan board by the commission, and provides for such other citizen-boards to act in an advisory capacity with departmental heads, as the city manager may deem expedient. No powers are granted these bodies, except as may hereafter be created by ordinance.

More interesting features of the proposed Dayton charter are to be found in the administrative clauses which have been incorporated—fea-

tures which have been notably absent in the fundamental law of most municipalities. The charter commissioners were thoroughly imbued with the idea that inefficient government is due to badness of methods rather than badness of men; and as a proposed remedy have included adequate provisions governing budgetary and accounting procedure, a purchasing department, granting of franchises, public improvements and other subjects differentiated from the organic law of the city. The appropriation estimates are to be compiled by the city manager from detailed information obtained from the several departments on uniform blanks. The entire classification of expense must be as nearly uniform as possible for the main functional divisions of all departments, and there must be presented in parallel columns the following information:

- a. A detailed estimate of departmental needs.
- b. Expenditures for corresponding items covering the past two years.
- c. Expenditures of the present year including transfers.
- d. Supplies on hand.
- e. Increases and decreases in requests.
- f. Other information required.
- g. Recommendations of the city manager.

Provision is made for the publication and public hearings on the budget estimate before it can be enacted into law, and an additional proviso that the appropriation shall never exceed the estimated income.

In connection with these budgetary sections there is an original clause which will obviate a common difficulty met in municipal finance—the presence of more than ample money to the credit of certain funds, while legitimate charges and pay-rolls against other appropriations go unliquidated because of temporary financial stringency. It is provided in the Dayton charter that

all moneys actually in the treasury to the credit of the fund from which they are to be drawn, and moneys anticipated to come into the treasury shall be considered in the treasury to the credit of the appropriate fund.

The accounting provisions were arrived at after a lengthy consideration of best municipal accounting practices including New York and Cincinnati procedures, as well as the code in process of preparation for New Jersey. Difficulty was met, not in determining what systems should be provided, but in reducing the outline of the procedure to fundamentals, and within the limits of a brief charter. Two sections found in the proposed Cleveland charter were finally incorporated, and which require that

accounting procedures shall be devised and maintained for the city *adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values.*

A corollary clause, but the one upon which the above depends for its interpretation, reads in part as follows:

the commission shall cause a continuous audit to be made
such statements shall include a general balance sheet, exhibiting the assets
and liabilities of the city supported by departmental schedules, and sched-
ules for each utility publicly owned or operated; summaries of income
and expenditure supported by detailed schedules; and also comparisons
. with the last previous year.

A strict accounting interpretation of the terms "income and expenditure" will place the city accounting upon a *liability basis* rather than the usual *cash receipts and disbursements basis*, upon which most cities operate. Immediately following the inauguration of the new commission it is expected that ordinances, now in preparation, detailing the departmental procedure necessary under the foregoing clauses will be passed. Such ordinances will specify the ledgers and records to be installed, the method of central control, character of operation reports, unit cost records—in brief will be the basis of an accounting manual for the municipality.

Dovetailed to these provisions for financial accounting are regulations for proper pay-roll control. It is provided that the "head of each department shall require proper time reports for all services rendered to serve as a basis for the preparation of pay-roll vouchers," and by which each departmental head must submit "current financial and operating statements exhibiting the transactions (of his department) and the cost thereof." In this manner it is believed that adequate fundamental provision has been made for budget making, general finance accounts, cost accounts and operative records.

Revenue systems and forms of taxation are prescribed by general state law, not subject to charter modification. However, complete detail has been provided for the financing of public improvements, too lengthy to be discussed in a brief article.²

Public utility franchises may be granted, subject to referendum, but no franchises shall be exclusive, and each shall state the terms under which the property may be assumed by the city; or the municipality reserves the right to condemn public utility property.

So brief was the time allowed for the preparation of the Dayton charter, that in many respects the document has a "scissors and paste" character; however, there are numerous features which were given painstaking thought and care,—notably the plan of organization and the financial sections. No formal survey of the local government was made, yet the commissioners were familiar with the shortcomings of most of the city

² Copies of the complete charter may be had gratis from the Dayton bureau of municipal research.

departments—the absolute lack of modern accounting system, the absence of efficiency, cost and operating records, the need of budgetary procedure, the weakness of the health service, the partisan and ineffective character of the merit system—sufficiently familiar with these problems to mould a procedure and adopt a program commensurate with the needs of the community. The experience of Dayton will be a distinct contribution to the science of politics.

L. D. UPSON.¹

THE MUNICIPAL REFERENCE LIBRARY²

MOST people admit that our city governments need improving, but not so many are ready to point out the way to improvement. Facts are necessary, experience and knowledge must be consulted and weighed. Newspapers may fatten their circulation list by exploiting maladministration in the abstract, but how few of them can and do suggest a course of remedial action. They are quick to arouse, but slow to educate.

However much we may deplore the many defects in our present city governments and the inadequacy of present day criticism, great hope is to be found in those cities where sincere effort is being made to know the facts; in those cities now looked to as laboratories for the new science of city government.

There is a decided agitation at present for establishing in every city of importance in the country a library of municipal reference, a clearing house of municipal information. This agitation has resulted in several well established special libraries in various cities, among which we find

¹ Director, Dayton bureau of municipal research.

² In 1909, the National Municipal League recognizing the value and importance of municipal reference libraries, appointed a committee to investigate the subject and make recommendations as to the organization of such libraries. After a thorough investigation of the subject, the committee submitted its report at the meeting of the League in Buffalo, November, 1910. The recommendations made by the committee for the organization of such libraries are contained in the article by Mr. Crecraft. Copies of this report were sent by the committee to the mayors and public libraries of the larger cities, with a letter calling attention to the importance of the subject. The results have justified the efforts of the League, for since the report was made the following cities have established such libraries: New York, Chicago, Philadelphia, St. Louis, Portland, Ore., Oakland, Toronto. All of these, with the exception of New York, have established the libraries along the lines recommended by the committee by placing the library under the control of the public library, with an office in the city hall. The form of organization of the Milwaukee library has also been changed by placing it under the public library, with an office in the city hall.

The League has recently appointed a smaller committee on municipal reference

Baltimore, Milwaukee, Kansas City, St. Louis, Philadelphia, Portland, Ore., New York, Chicago, Minneapolis, Oakland and Toronto.

A municipal reference library is not to be assimilated to statistical bureaus such as are found in Chicago or Boston, each serving a particular purpose in their respective cities. Nor is the municipal reference library at all identical with a bureau of municipal research such as the New York City bureau. A municipal reference library should supplement the work of a bureau of municipal research, and should be equally advantageous to all branches of the city government. It should serve as a bureau of information on experiments in all cities. Such subjects should be followed and conservative data filed as concern city charters, gas rates, water rates, cold storage, city planning, grade crossing, efficiency in fire and in police departments, home rule, industrial education, paving, street railway fares and franchises, and all other problem of vital interest to every city government.

The much advertised mayor of one of our principal cities recently made the statement that he would need the whole of his first term to learn how to be an efficient mayor. Traveling from one city to another was to be included in his mayoralty duties as he understood them. He soon became known as the traveling mayor. The motive in this case was good, but the method questionable. Experience could be brought to the very doors of that executive and to other officials desiring information, and brought at a great saving of time and of money to the city.

At present New York is interested in establishing the least wasteful water supply system possible. What fund of experience of other cities is it to draw upon? Where can New York get information? Again, Mayor Hunt of Cincinnati recently delivered a speech describing the system of building inspection by firemen now in operation in that city. By personal correspondence among city officials it was learned that Minneapolis had already originated the system. But the fire chief of St. Louis,

libraries and city archives for the purpose of trying to secure the establishment of municipal reference libraries in all the more important cities and this committee has decided to use the article prepared by Mr. Crecraft instead of preparing a new report or having the 1910 report reprinted. The committee cannot urge too strongly, however, that in making provision for municipal reference libraries, an adequate appropriation be made for their maintenance and that only those of scientific training be placed in charge of them. It is also absolutely essential that such libraries be so organized as to prevent political interference. The greater the number of such libraries, the greater the possibilities for coöperation in this work.

The committee on municipal reference libraries and archives consists of Dr. Horace E. Flack, legislative reference department, Baltimore, Md., chairman; Hon. Thomas Lynch Montgomery, state librarian, Harrisburg, Pa; Miss Edith Tobitt, librarian, Omaha Public Library; Dr. Henry J. Harris, Library of Congress, Washington; Dr. Robert H. Whitten, librarian, public service commission, New York City.

so it was soon learned, was equally certain that his city had been using the identical system for "years." Cincinnati should have had the benefits of the experience of these cities, and every city at present facing future problems of building inspection should be informed as to the results of such experiments.

The history of the municipal reference library begins with the city of Baltimore. The department of legislative reference was created by an act of the legislature of 1906, and operations began January 1, 1907. Its establishment was the result of interest taken by certain public spirited citizens of Baltimore who realized the need of having some department whose business it would be to collect and compile information which would be of value to the efficient public official and to the interested public. The law creating the department provided for an advisory board consisting of the mayor, the city solicitor, the president of Johns Hopkins University, and the president of the Merchants and Manufacturers' Association. First among the duties devolving on the board was that of providing for the employment of a "competent statistician as its executive officer," who should "organize and conduct the said department" and should "hold office. . . . during good behavior," and "be subject to removal by the said board, or a majority thereof, for incompetence or neglect of duty." Further provision was made that it should be the "duty of said executive officer to investigate and report upon the laws of this and other states and cities relating to any subject upon which he might be requested to so report by the mayor, any committee of the city council or the head of any city department; to accumulate all data obtainable in relation to the practical operation and effect of such laws; to investigate and collect all available information relating to any matter which is the subject of proposed legislation by the general assembly of Maryland or the city council of Baltimore." The same law provided that the executive officer "preserve and collate all information obtained carefully indexed and arranged so as to be at all times easily accessible to city officials and open to the inspection of the general public." The salary for the executive was placed at \$2000 per annum, and additional appropriation was made "sufficient to pay all other expenses of the department."

So much for the creation of the department; now as to the results. The department is meeting with success. It has been in existence five years and there is an increasing demand made upon it for information on a wide variety of subjects. Evidence of its growth is found in the recent proposition to place under its jurisdiction the present city library, or rather the city archives, which is the depository of all city documents. During the first four years the department has collected 1326 books and 5517 pamphlets, and in addition to these a number of duplicates of the more important reports, including clippings, magazines, typewritten re-

ports, letters. In addition to this there are on file in the department all bills of the Maryland legislature for the past two sessions and a number of the more important bills of other states. An index is kept also of the ordinances of the city. These indexes are of great value since ready reference is possible to any bill or ordinance of Baltimore.

To what extent has the library been of service to the city, might be asked. The report issued by the executive of the library explains fully the nature of the material kept on file, but is not so clear in stating specific instances where the library has been of real service. The report makes the following statement: "It is not possible to estimate the value of the services rendered by the department since the information collected is for the use of other officials and departments." Consequently it is plain to see that if a fair proof is to be had of the actual work of the library, testimony must be had from those using the library as supplementing that of the otherwise excellent annual report of the librarian.

Aside from the mere collecting and cataloging of information, the department has followed somewhat the method adopted of issuing bulletins by the legislative reference bureaus and has prepared, in a number of cases, compilations on gas (rates, etc.), liquor licenses, tax discounts, civil service laws, boards and commissions, and a number of other valuable compilations intended for a means of guidance for proposed legislation.

The result is that no department of the city government need try any new scheme or measure without having learned how other municipalities deal with the same questions and with what success. Experiments are often costly. To be forewarned is to be forearmed. The health commissioner, the chairman of the tax commission, the mayor, city solicitor, city engineer, all have requested information on subjects appertaining to the work of their various departments.

The total expenditures of the department for the first year amounted to \$3023.09 of which \$2523.34 was for salaries. Thus only \$110.38 was expended for books and magazines, while the worth of the whole material collected is very much greater than the price paid.

The Milwaukee municipal reference library is a branch of the Milwaukee public library, but its apartments are situated in the city hall. A separate appropriation of \$5000 is carried. This covers the expense of the salaries of the librarian, the assistant and a stenographer. It is the policy of the librarian to free the municipal reference work as much as possible from the regulations governing the library proper. The correspondence, collection of material and cataloging is done independently of the public library. Orders for books and supplies, however, are made through the public library.

The material of most value on file consists of government and municipal reports, the reports of civic organisations and meetings, clippings from

newspapers and magazines and the like. By the existing arrangement the director of the branch library is in constant touch with the aldermen. It is found very helpful in operating the library to have this physical proximity of the office to the committee room.

Lately the bureau has taken over the work of drawing up all resolutions and ordinances, except those of a technical nature, these latter belonging exclusively to the work of the legal department.

The library was established about the middle of the year 1908 as a department of the public library. Shortly after, however, it was made an independent department and the mayor was empowered to appoint the librarian. The ordinances of January 3, 1911, reorganized the department. As to the librarian the ordinance provides that he "shall be an expert in political science, political economy and statistics. He shall hold office during good behavior and shall be subject to removal in accordance with the rules governing other employees of the Milwaukee public library."

The duties of the librarian, according to the same ordinance, shall be to collect and compare the laws of Wisconsin and other states and the ordinances of Milwaukee and other cities and report upon the laws and ordinances pertaining to which he may be requested to report by the mayor, any committee or member of the common council of said city; to accumulate all data obtainable in relation to the practical operation and effect of such laws and ordinances; to collect all available information relating to any matter which may be the subject of proposed legislation by the common council; to preserve and collate all information obtained and carefully index and arrange the same so that it may be at all times easily accessible to the city officials and to the open inspection and use for reference purposes by the general public.

The present librarian has had charge of this library for one year and during that time there has been collected a mass of important material.

A municipal reference library has been in existence in Kansas City for several years. Unfortunately, however, there has been not a little opposition to the movement on the part of the press and on the part of those who did not know of the real purpose of the library.

The new administration in the city did not repeal the ordinance creating the department, but in the general reduction of appropriations, the fund for the reference library was reduced from \$3000 to \$2000 for the year 1912.

The work of carrying on a municipal reference library which is thoroughly efficient and worthy of the name, involves such an exhaustive amount of supervision and at the same time such vast detail work, that it must quite surpass the activities of any one man. It therefore is difficult to regard a city as having a real municipal reference library which fails to provide for the constant employment of several workers.

At the present time there is a movement on foot to establish a municipal reference library in New York City.³ Dr. W. H. Allen, head of the bureau of municipal research, explaining the need of such a bureau, shows that at present the large number of outside inquiries concerning various branches of new city government have no one center through which they may be cleared. As a result it is necessary for the outside inquirer to write perhaps to as many as twenty different city officials in order to be assured of the information wanted. That there should be a careful and permanent bureau of municipal information and a professional municipal correspondent in charge is undeniable and the need of such will no doubt be met in the near future.

The project last year to establish the municipal reference library got as far as the board of aldermen where it was dropped. In New York a resolution was adopted by the board of estimate and apportionment calling for the creation of such a library. In compliance with this resolution a report was made which explained the status of existing municipal reference libraries.

It was carefully shown in this report that such a library had no function of criticism, that it presupposed the absolute integrity and probity of that political representative, the alderman. It asserted its sole purpose to be one of assisting the representative in putting the government of his community on a more scientific basis, by placing at his disposal, after painstaking analyses and exhaustive comparative studies, the successes and failures of other communities. The appropriation asked for amounted to \$20,450.

The Civic League of St. Louis in recommending a municipal reference bureau to the board of freeholders, made the following statement:

The value of comparative data in dealing with municipal questions can hardly be overestimated. . . . An officer whose duty it should be to keep in touch with municipal movements everywhere and be ready to supply the information to those who are charged with making the laws and administering them should, we believe, be provided for in the new charter.

In accordance with a concurrent resolution of the municipal legislature the municipal reference branch of the St. Louis public library went into operation October 23, 1911. The library is housed in the city hall adjoining the houses of legislation. The branch is not only a municipal reference library, but it is a public library as well, and is open to all citizens.

³Since this article was prepared for the press, New York City has established a municipal reference library.

The department is non-political and non-partisan, the data and information being so set forth that the facts speak for themselves. The collection now numbers about 15 books and 2000 pamphlets, the civic league and the mayor being the chief donors of the material. Information is sought and given by correspondence such letters and material so collected forming a large and important part of the collection of the library.

It is not possible to set down in detail the work of the library. The requests for information have been very numerous, and all receive equal consideration whether of a trivial or important nature. Departments have come to make it a regular business of depending on the library for information.

The branch has very recently been made the exchange agency for the St. Louis city documents. The mailing list for the publications of the city has up to the present time been in the hands of the city register, who has charge of the printing and distribution of the documents and ordinances. Under the present arrangement postage and express charges will be met from city appropriation, but the register will turn over to the municipal branch available documents, and the exchange will be carried on under the direction of the branch librarian.

The use of the library by the city's officials and others has been very gratifying. At present, however, more requests for information are received from other cities than from those persons who have ready access to the department. The number of inquiries is nevertheless gradually increasing and there is a trend upwards in the importance of the requests. There is every indication that there will be a gradual growth in the use of the department as its functions become familiar to those for whom the branch was primarily intended.

From the beginning a record has been kept of the requests for information; the departments of the city seeking information, and a list of other cities asking information concerning the affairs or problems of St. Louis.

In Boston the finance commission formed a bureau of municipal research whose purpose was to collect information for the commission, also to examine and study the city departments with a view to municipal improvement. The functions of this bureau are so closely allied to those of the finance commission that it would be difficult to determine the line of demarkation. In this very important respect it differs from the libraries of municipal reference which are engaged in work in other cities.

Philadelphia is the largest city yet to establish a municipal reference library.⁴ Organized as a part of the Free Library of Philadelphia the

⁴ Philadelphia is now third, for both New York and Chicago have but just recently established such libraries.

municipal department began operation on July 1, 1912. The room is very pleasantly situated on the fifth floor in the north east corner of the city hall and is open during the week from nine until four and on Saturdays until noon.

The establishment of the library is the result of two years of effort. The Free Library of Philadelphia for some time has been wanting to start the branch in connection with the department of public documents and it is largely through the courtesy of the director of public works that the room in the city hall was turned over to the library for this purpose.

The material in the library consists of the standard atlases, gazetteers, encyclopedias and dictionaries and a number of reference books and almanacs; also directories, telephone books, cable codes and railroad guides. In addition it contains all the reference books which are regarded as indexes to state or city government. Many leading periodicals bearing on city government are kept on file. In short a larger part of the material is in the nature of an index to the great collection of documents on state and city government now in the possession of the library.

A card catalogue makes possible ready reference to a large collection of municipal material containing the publications of over 350 cities scattered throughout the world.

It is a great satisfaction to those interested in the welfare of Philadelphia to realize that a library has been opened in the center of the city where city officials and all others interested in public questions relating to the city may obtain information.

Cleveland is the latest city to establish a municipal reference library. Mayor Baker has taken the initiative under the law of Ohio which permits the mayor to appoint two department examiners. One of these examiners is now organizing a department of information and complaint which is an attempt to supply the growing need for a central bureau of information for the use of the officials and the public in general. So far all the work of organizing the reference library is being carried on without financial assistance from the city council. Those in charge intend to have the work well under way and the usefulness well established before appealing to the city council for assistance. The organization will proceed along the same lines as described in the accounts of the various other libraries of this character.

The work of building up a special library of municipal reference is gaining the attention of a number of our state universities. The University of Wisconsin has taken the lead, and apart from any individual collection such as that of the Milwaukee library, has undertaken to establish a clearing house of information for the cities throughout the state. At the University of Kansas similar work is being carried on. The experiences of other cities are brought together and placed at the disposal of the

Kansas towns. The material is catalogued, filed, and made ready to be sent to the cities of the state for a loan of two weeks or more.

In the University of Illinois, the university library has been collecting municipal documents and other printed material which serve as a nucleus for a municipal reference library. Efforts have been made to secure an appropriation to put this work on an effective basis, but thus far without success. However, a hopeful sign is that the plan has been indorsed by one of the party platforms. The incoming legislature will doubtless take some action on the matter.

At the University of Cincinnati the department of public law is to become, also, a bureau of municipal reference for the city. The city council has appropriated \$5000 for the work in 1913, and has invited the representatives of the department to take rooms adjacent to the council chamber at the city hall. Prof. S. G. Lowrie will have charge of this bureau and a similar one which has been established by Governor Cox at the state capital for the collection and preparation of material on state legislation. The first work of the municipal reference bureau will be that of aiding in the matter of charter revision. Information on all municipal questions is to be collected and so indexed and arranged as to be accessible to the council, the city's administrative officers, and the general public. The bureau will also serve as a laboratory for the public law students of the university. Each officer of the city, head of a department, and committee of the city council is to assist the director by furnishing to him all reports and copies of correspondence he may deem of value for future reference. The director is to collect and compare ordinances of this and other cities; to assist in the preparation of measures for introduction in the general assembly bearing on the city's needs; to secure books, pamphlets, periodicals and documents. He is to collect, classify and index the charters, franchises, ordinances and departmental reports of this and other cities and accumulate data regarding their practical operation and effect.

Recognizing the great value of building up municipal reference bureaus in the cities, the National Municipal League in 1909 appointed a committee to report upon the feasibility and desirability of municipal reference libraries. The committee sent out inquiries to librarians in all cities having a population of 50,000 or over. The replies indicated that there is almost complete unanimity as to the great need for the establishment of municipal reference libraries. The committee furthermore made examinations into the then existing legislative and municipal reference libraries, their organization, operation and efficiency, which examination resulted in the deliberate conclusions as follows: first, such libraries should be established; second, generally speaking they should be under the control of the public library; third, they should be located in the city halls; fourth, the head of such library should have had suitable training; fifth, the

manner of selecting the head of such bureau should be determined according to the local conditions of the particular city; sixth, the bureau should be made the agency for the exchange of municipal documents; and seventh, the work of such bureau should comprise collecting, collating, compiling and dissemination of information; to aid in the drafting of ordinances, to furnish correct information to the press, to issue bulletins, and to remain neutral on all questions.

The committee again reported at the annual session of the National Municipal League at Los Angeles in August, 1912. This report gives a summary of the progress of municipal reference libraries. The cities of Oakland and Toronto are reported as having recently established municipal libraries. The committee further favored the bill now pending before congress for the establishment of a national legislative reference bureau with the additional provision that the functions of such bureaus be broadened so as to include municipal reference work.

It is the purpose of this review of municipal reference work, to recognize the rapid growth of the movement, to point out the great desirability of continuing the same, and to present the matter in a form that will interest the average public spirited reader equally as much as the expert librarian. It is the interest of the former, more than of the latter, that is now necessary to the further success of the municipal reference library.

EARL W. CRECRAFT.¹

MUNICIPAL ELECTIONS IN DES MOINES, IOWA²

TO THE careful student, perhaps the most striking result of commission government is the type of campaign developed by the non-partisan ballot. Certainly one of the most valuable consequences of commission government has been the raising of the standard of citizenship. The one is the complement of the other and the two are the essential foundation for real democratic government in our American cities.

The abolition of party lines in commission governed cities makes it impossible for candidates for office to depend upon the party machine for election. Indeed when the system is properly introduced, it is impossible for

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² For other articles on commission government published in the NATIONAL MUNICIPAL REVIEW see: "City Government by Commission," Richard S. Childs, vol. i, p. 40; "Commission Government," Martin A. Gemunder, vol. i, p. 170; "Financial Results Under the Commission Form of City Government," Ernest S. Bradford, vol. i, p. 372; "Ten Years of Commission Government," W. B. Munro, vol. i, p. 562; "The Public Library in Commissioned Governed Cities," Alice S. Tyler, vol. ii, p. 255.

the party machine to be brought to play at all in a municipal campaign. The consequence is that the candidate must make his appeal almost entirely to public opinion, and can rely only upon such political organization as he can make personally.

Abolishing ward lines and electing officers at large has a similar effect. The candidate can no longer depend upon log rolling among ward interests, nor upon the influence of local issues, nor upon the favor of local ward politicians to secure his election. He must face the entire electorate on the municipal issues and stand or fall according as he can impress the voters with his fitness to represent the entire city.

This is all admirably illustrated in the type of campaign developed under commission government in Des Moines. It is worth a trip half-way across the continent to observe one of these campaigns.

Under the Iowa law, any citizen who can secure the signatures of twenty-five of his fellow citizens to a statement of his honorable standing in the community, may become a candidate for mayor or commissioner. In our three campaigns this ease of candidacy has been taken advantage of by great numbers and there have been always from thirty to more than fifty aspirants to civic honors.

Coincident with the introduction of the Des Moines plan into our city affairs there sprang up all over the city, neighborhood organizations of voters under the title of improvement leagues, etc. There is one or more of these organizations for each precinct of the city. When the campaign, which generally begins about six weeks before the primary, is well under way, the various candidates are invited to appear before these leagues to present their claims to the suffrage of the voters. It will generally be found that several of these leagues are holding meetings in various parts of the city on the same night. A given league will invite perhaps a dozen speakers to appear at a single meeting. It thus chances that one candidate may be invited to speak at two or three meetings in an evening.

At these meetings, the various candidates, owing to the number that are to speak, find it necessary to present their claims to consideration in talks of not to exceed ten or twelve minutes. A speaker must make his impression upon his hearers in very short order. The more capable men soon discover that there is time for only two or three main impressions. If the candidate is wise, he concentrates on a few main issues and attempts to elucidate them with telling strokes. At the same time he must throw the force of his personality into the discussion. There is no time for idle words, for every moment must be made to count.

In the rapid review of candidates, the audience is, in each case, deciding on about three things. They decide first as to whether the speaker knows what he is talking about. In other words, they estimate his intellectual alertness and the soundness of judgment. Second, they decide upon the

earnestness of purpose, or conviction, with which the candidate seems to present his issues. And finally having weighed the intelligence and sincerity of the candidate, they put an estimate upon his courage or determination of purpose which will or will not lead him to carry into effect the policies which he professes to stand for.

The candidate who impresses his hearers that he knows what he is talking about, that he means what he says, and that he has the courage in the hour of trial to stand for what he advocates, generally has the right of way to the voters' suffrage, provided of course that his position on the issues of the campaign appeals to the voter as being sound.

Before the campaign is over, the candidates who have appeared at this given league upon one occasion will have one or more other opportunities to appear before the same audience. Upon these second and third occasions the candidate has a further opportunity to elucidate his views on municipal issues and to confirm or to better the first impressions which his audience may have gained concerning him. By the time the primary election is at hand, the voters in the neighborhood of this league have put their estimates upon the various candidates, and by processes of comparison and elimination have pretty clearly decided which five of the total number they will support.

Even those who may not have attended the league meetings very faithfully during the six weeks campaign have heard the neighborhood discussion concerning the candidates. Opinion in the vicinity is very clearly outlined. Municipal issues and the personality of the candidate enter with somewhat varying proportions into the composition of the neighborhood opinion. If there are striking municipal issues upon which the people may divide, this has a large bearing upon the fortunes of the candidates. If, however, municipal issues are not pronounced, the personality of the candidate has a very large determining force. Indeed, with the impossibility of organizing candidates into groups, each group standing upon a given platform, the personality of the candidate has fully as much to do with his advancement as the issues for which he stands. Sometimes a candidate who marks out the issues of the campaign strongly secures his support chiefly upon his platform, while right along beside him some other candidate, who may stand for even contrary municipal policies, but who has a striking personality or mental vigor, earnestness and reputation for courageous and determined action, will also be successful. It is indeed a contest between personality and municipal issues.

These are undoubtedly the most desirable bases for the selection of the chief municipal officers. Yet there is the difficulty of raising municipal issues to their true importance.

At the same time, the influence of party politics upon the fortunes of municipal officers is entirely removed. The people come to resent the

intrusion of party politics into municipal affairs. In Des Moines, which is overwhelmingly republican, the first mayor, a democrat, was as overwhelmingly elected over his republican opponent. Anyone aspiring to a municipal office who would lay claim to that office on the grounds of his party relations would be rejected by the people for so doing.

Another feature of our campaigns is the entire absence of sectional or ward influence. The candidate must face the entire electorate of the city upon the issues and interests of the entire city. He cannot go into one ward advocating measures for the good of that ward alone without incurring the hostility of the voters in other wards. The consequence is that the residence of the candidate is no longer inquired after, though at first there was considerable jealousy over this point. One who is not broad enough to be a citizen of the entire city has small hope of convincing a majority of the voters of the entire city of his fitness to participate in the determination of municipal policies as a member of the city council.

Thus, by the time the field of candidates has appeared successively before the various improvement leagues of the city and the date of the primary is approaching, the various hearings secured and the general discussion that has resulted among even those who may not have attended the meetings, has established a general public opinion as to the merits of the various candidates.

One of the most interesting features of a campaign to observe is the growing or waning fortunes of the respective candidates. A field of forty or fifty candidates will start out with apparently little difference in the prospects of success. After a couple of weeks of this style of public discussion, a comparatively small number will gradually forge to the front in public esteem, until as the primaries approach, it becomes quite evident that the choice lies among some twelve or fifteen leading aspirants.

But the real contest comes when the primary is over, and the two candidates for mayor and the eight candidates for commissioner who are to participate in the election two weeks later, have been chosen.

The primary often reveals surprises in the persons of the successful candidates. A well organized constituency, furthering the candidacy of a given man in a large field, will often get more votes than men very much better fitted for the place. Among the half dozen candidates for mayor, one of the winners may have polled practically his entire strength in the primary. In the break-up of the supporters of the unsuccessful candidates, the vast majority will then go to the other man. This is especially true if the success of the first main candidate is felt by the majority of the people to be a menace to the welfare of the city. The same thing is true among the candidates for commissioner. The consequence is that after the primary, there is a hasty review of the situation, by both candidates and voters. After a brief respite for this review, the campaign is resumed

with redoubled vigor. Between the two candidates for mayor, the contest is especially keen. So far, it has never descended to the plane of personalities and belittling of character.

The contest among the commissioners is somewhat different. Before the primary, one candidate for commissioner will seldom attack the record of any of his competitors for fear of alienating the support of the friends of the candidate so attacked. While this is not so true after the primary, yet, in a measure, it holds true even then. This is especially so in case of those candidates who feel sure of first or second place in the voting. Among the contestants for third and fourth place, the battle rages with somewhat more vigor and directness. Those knowing that their success depends upon the defeat of certain other candidates are less slow to offend the friends of those candidates, and attack any weak places in their records unsparingly.

The laws providing that no pre-election promises shall be made, and that no one may give or receive money for personal assistance in the campaign, have a very salutary effect. It is a great protection to the candidate to say that he cannot give money or make promises for any assistance. It relieves him of the incubus of the ward heeler and the political grafter. This protection is as valuable to the candidate as is the assurance of a higher degree of purity in the election to the general welfare of the city.

The ability and character of the men who are finally successful in the election is very good. Only men of superior ability and fair repute, who are able to contend before 20,000 voters and undergo their scrutiny, can be successful. The average ability of the commissioners is undoubtedly beyond what it was under the old plan.

JAMES R. HANNA.²

PRIMARY ELECTION EXPENSES IN CHICAGO

THERE is no doubt that campaign expenses have largely increased as a result of the direct primary laws that are now on the statute books of many of our states. When the political bosses of the various parties could meet in back rooms and select candidates who would have back of them the organized strength of the machine, there was little occasion for the candidates to spend money or for their friends to spend it for them before nomination. Under such a system the only expense was in connection with the election campaign itself.

Under the primary election system, however, instead of one campaign there are two campaigns. It is not infrequently the case that there are more candidates to contest at the primary election than at the election itself. Where there is a large field of candidates and where from any

² Mayor of Des Moines.

reason of general public interest the fight is a hotly contested one, money is spent and spent freely.

Of course even under the direct primary system the political machine is a potent factor. By throwing its combined strength to any one candidate it gives him a tremendous advantage. A candidate who has the support of the machine is not under the necessity of spending as much money in the primary campaign as is the candidate who is fighting the machine. The machine candidate already has his organization in county and township or ward and precinct as the case may be.

On the contrary the anti-machine candidate has to build up his organization and to build up an organization overnight is an expensive proposition.

In the absence of statutes requiring publicity of campaign expenses it is difficult even to guess at what the cost of primary campaigns have been in the past. Here in Illinois and Chicago it is safe to say that the primary campaign expenses during recent years have been very large. As a typical example let us take the primary campaign of slightly over two years ago at which nominations were made for mayor and other city officers in Chicago.

Prior to this campaign there had never been any publication, either forced or voluntary, of any primary or general campaign funds in any part of Illinois, so far as I know. In the primary election referred to public sentiment demanded a publication of campaign receipts and expenditures with the result that at least two of the candidates, Charles E. Merriam and Edward F. Dunne, made complete and honest publications. Some candidates made partial publications while one refused to make any disclosures at all.

In a direct primary campaign, covering approximately two and a half months, there were contributions from all sources made to the Merriam campaign fund of \$39,767. The disbursements made by the Merriam committee in this primary campaign were itemized as follows:

Stationery and Printing	\$2035
Advertising in street cars and newspapers	2763
Music, bands and wagons for meetings.....	1474
Hall rent and other expense of meetings	2267
Salaries and headquarters expense	4885
Postage	2008
Ward headquarters and organization work—35 wards	2100
Lithographing and posting.....	4500
Young Men's Progressive Republican Club expense	415
Total.....	\$22,451

Mr. Merriam was an anti-machine candidate and it was accordingly necessary for him to build up organizations in the various wards and

precincts, a process which legitimately costs money. Nor did he have the advantage that the machine candidates had of the support of the organizations in the various wards.

It should be borne in mind that in each ward at the same time there were various candidates running for aldermanic nominations. Each one of these candidacies meant money collected and spent and where the aldermanic candidates were also the candidates of the organization, the campaigns they made and the money they spent were also for the advantage of the city machine primary candidates. There were no aldermanic candidates on the Merriam ticket.

In this same campaign John F. Smulski, who was the candidate for the Republican nomination of the Deneen-Busse machine, made a statement through his committee showing receipts of \$9445, and expenditures of \$11,673. It is understood that the Smulski committee also spent not less than \$10 a precinct to man the polls on primary day which would involve about \$13,000 additional which was not accounted for.

John R. Thompson another Republican candidate, backed by the Lorimer machine, announced that he had received no contributions from any source and that his disbursements had been \$16,228. There was also evidence on election day that in Mr. Thompson's case probably an amount in the neighborhood of \$26,000, which was not accounted for, was spent to man the polls in his interests. In considering the amounts spent by Merriam, Smulski and Thompson, respectively, it should be borne in mind that both Smulski and Thompson had powerful machine support and their campaigns covered only a few weeks while that of Merriam's extended over two months and a half.

On the Democratic side Edward F. Dunne was making an independent campaign against Carter H. Harrison, the candidate of the old city hall machine, and Andrew J. Graham was the candidate of Roger Sullivan. Mr. Dunne accounted for \$10,869 received as against expenditures of \$10,242.

Carter H. Harrison made no accounting for primary expenses, but it is known that he carried on an expensive campaign and it is safe to say that his disbursements were considerably in excess of those of Mr. Merriam.

No statement was made on behalf of Andrew J. Graham, whose campaign was the longest and most expensive of all. It was the current belief at the time that money was literally poured out in Mr. Graham's behalf. It is probably within the facts to say that \$100,000 were spent by the Graham managers in this campaign.

As has already been suggested, in addition to the amounts spent in the mayoralty campaign there was considerable money spent in behalf of the minor candidates on the various tickets and in behalf of the various aldermanic candidates in the thirty-five wards of the city in all instances except

on the Merriam ticket. It would be difficult to estimate what the amount would total, but it must have been very large.

It will have been seen that in the absence of a law requiring publicity of receipts and expenditures, it is impossible to give an accurate statement of the cost of such a primary campaign as the one above referred to, but probably the entire amount of money spent in this campaign was in the neighborhood of a quarter of a million of dollars, a tremendous amount, especially when it is considered that all this money was spent not to elect, but merely to give the people an opportunity to elect at a subsequent general election.

Of course there are many primary campaigns which are run on comparatively little money. The amount varies with the occasion and with the interest in the fight. If there is no contest, as when the machine is allowed to nominate by default, there is no need for large expenditures which can then be reserved until the general election as was the case when Fred A. Busse was elected mayor of Chicago somewhat over six years ago. In that year there was no direct election law on the statute books of Illinois. Mr. Busse was nominated by the combined efforts of the Lorimer and Deneen-Busse machines without opposition so that it cost no money to make a campaign for nomination. All the money collected was spent at the general election and more than a quarter of a million dollars was raised for Mr. Busse's campaign. It is not known what was spent in that campaign in behalf of Edward F. Dunne, Mr. Busse's opponent, but it was a small sum compared with the fortune contributed to put Mr. Busse over.

There is hardly any limit to the amount of money that can be legitimately spent in a political fight where an extended campaign of education is made. There is, of course, no limit at all to the amount of money that can be spent corruptly in a campaign. Full publicity of receipts and expenditures required by a statute carrying heavy penalties for non-compliance, would correct a good deal of the evil. It has also been suggested many times that a limitation of the amount that can be spent in behalf of any candidate would be a proper and salutary law. Personally I am inclined to doubt the wisdom of a limitation law, although there are many reasons that can be urged for it. Such a statute would undoubtedly be to the advantage of a political machine and would make it difficult, if not impossible, for an independent anti-machine candidate, who has to build up his own organization and conduct his own campaign of education to hope to compete successfully with a machine candidate.

HAROLD L. ICKES.¹

¹Of the Chicago bar and chairman of the Cook County Progressive committee. Mr. Ickes has written this article out of an intimate knowledge of the facts, having been manager of the Merriam campaign. Although considerable time has elapsed since that event, the facts and figures have lost none of their value or significance.

COMMISSION GOVERNMENT FOR CITIES:
ELECTION TO SPECIFIC OFFICE VS.
ELECTION AT RANDOM

ELECTION to specific office is essential for consistency with the fundamental principle of commission government that the line of responsibility from member of the council to the people should be clear and sharp.

By election to specific office, the member of the council is in a position which he has agreed with the voters to take, and to which they have elected him, with all the facts in mind. He can, therefore, be held much more effectively responsible than if in a position, perhaps unwelcome to him, into which he has been forced by his colleagues.

2. It should conduce to harmony and attention to business in the council to have each member in a position from which the rest cannot depose him, in which he knows he must stay until the end of his term, and in which he must make good, if at all.

This does not, of course, prevent minor redistribution of duty under certain conditions by a vote, say, of all four of the other members.

3. Election to specific office enables a man to know in advance for what office he is running, and the voter to know to what he is electing him, something which should make standing for office much more attractive than otherwise to responsible citizens, and voting a more intelligent and responsible piece of work than otherwise. It should, therefore, materially reduce the chance of a mere "good fellow" getting elected to the Council; also to deter the ridiculously incompetent—though regarded good enough for a place in the council under the usual politics—from seeking a nomination.

4. Election to specific office is not open to the objection that the people should never elect experts, for there is no necessity that these men should be experts, but there is a necessity that they should be elected to a place in which they have an interest and for which the voters will consciously support them. The bonafide experts may still be appointed, as they should be.

5. Experience has already developed serious objection to the practice of election at random. Haverhill's misfortunes in the loss of a highly competent official in the council by his defeat by a less able but perhaps more popular person, through the voters not realizing what place in the council was at stake, led Lynn to adopt election to specific office. Grand Junction had already done so on general grounds; Oklahoma City, Salem, Mass., Denver and Colorado Springs have since done so. The commission

charter drafts of Bangor and South Portland, Me. and New Iberia, La., Springfield and Cambridge, Mass., all provide for election to specific office.

Colorado Springs modified a commission charter of some four years standing to introduce election to specific office (with preferential voting) in place of their previous system of election at random. This was done in April, 1913.

REASONS FOR ELECTION AT RANDOM

1. Election at random makes it unnecessary for candidates to have to get elected to a certain office, or to be lost from the council. To put the same thing in another way, if, under election to specific office, all the good nominees should happen to be running for one office, there couldn't be but one good man elected.

2. An inferior banker might be elected to the headship of the department of finance over a man with general experience in business, greatly his superior in actual fitness for the office.

3. It is the almost invariable practice of American commission governed cities to elect their councils at random, presumably for the two reasons just stated, and also, I believe, on account of their fear that it means an attempt to secure election of experts by the people.

SUMMARY

It seems to me the first point made above for election to specific office is unanswerable by anything that can be urged on the other side, and that that point, with the others, clearly outweighs what can be said against it. Any efficient volunteer citizens committee, at least where a good form of preferential ballot is in use like that of Denver should find it reasonably easy to induce into the field a supply of desirable candidates for each and every office. Besides, this difficulty is much reduced at all elections after the first for there should never be more than one or, at the most, two offices to fill at any one election after the first.

The fact that election "at random" was the universal rule till lately is of course not conclusive evidence in itself that it is the most expedient practice. If prevalence were the proper criterion, the case for the discredited double chamber system would have been unanswerable!

Those originating the proposed commission charter for Cambridge have been perfectly clear from the very first in their support of election to specific office, although it was the feature which met the most vigorous opposition in the large committee of citizens which finally went over the whole draft. That committee, however, after full discussion in which the oppo-

sition was most ably represented, finally voted overwhelmingly to stand for election to specific office. The idea of direct responsibility above mentioned, and that a man should know what office he is running for, and that the voters should know to what office they are electing him appeal strongly to most thoughtful citizens and seem likely to prevail over all objections.

This extract from an editorial in the *Engineering Record* (of New York) under date of June 7, 1913, is worth noting in connection with the topic of this paper:

The Denver election of May 20 involved two matters of much interest to engineers—the participation of engineers as a body in the campaign and the favorable action on the Moffat tunnel proposal. The election was the first under the commission form recently adopted by Denver and was conducted along non-political lines. The local organization of the American Society of Civil Engineers therefore interested itself in the campaign, endorsing a civil engineer for the position of commissioner of improvements—the officer who has supervision of the board of public works. The candidate endorsed was elected.

It should be added that the winner here referred to was chosen out of a list of no less than twenty-three nominees for the place and, what is more, was high man among the six winners in a total field of 135 nominees. As the election was by the preferential system without a primary, his victory reflected the choice of the voters after a free and full expression of preference and thus was of highly exceptional significance.

It can hardly be doubted that the nomination to specific office (and the preferential ballot) was an important aid to this presumably excellent result.

To be sure, the nominee might have been induced to accept a nomination at random, might have been similarly endorsed and elected at random, and might have been finally landed by the council in the place of preference and for which he was best fitted. But each of these steps would have been hampered and the whole thing might well have been prevented by the uncertainties attending election at random. Particularly under these circumstances might a wholly nonpolitical organization of professional men of the highest standing have been effectively deterred from taking up an uncertain as well as unwonted step in the public behalf.

The following personal letter from a responsible and close observer of affairs in Salem (Mass.) under date of December 19, 1912 (underlining mine) gives some testimony from experience. It should be borne in mind that Salem retained the primary. Those who appreciate the value of the preferential ballot and the elimination of the primary have ground for belief that the Salem results might, by the more modern system, have been even better than below reported.

"I have felt ever since we started work on the Salem charter that this was the most satisfactory method of handling the problem, and the experience in our election in Salem Tuesday bore me out.

It has been the custom in Salem to vote for men for the board of aldermen *without regard to their fitness but merely upon their personal popularity*, and men have been elected without any regard whatsoever to the administrative work required of them as chairmen and members of the various sub-committees. Under our new charter this year the men were compelled to run for the specific positions which they wished to occupy, and *for the first time in my recollection the discussion in the campaign turned upon the qualifications of the men for offices for which they were running*, and the discussion was very general and the interest very keen. We were disappointed in the result so far as it affected the head of the ticket, but in every other case the man elected was a man who has had years of experience in just the sort of work expected of him, and whose record in such work has been good. Our city auditor, who has made a splendid record and is a very able man in financial matters was elected director of finance. A man who has been street commissioner for years, and probably the most successful one we ever had, was elected director of public works. A man who has been one of the overseers of the poor for years and a member of the board of health was elected director of public health, an office which combines supervision of both the health and poor departments. A man who has been in the lumber and building business for years and has shown considerable executive ability was elected director of public property. In every case, the men running against them had had no experience to speak of in the work of the positions, and the majorities of the successful candidates were overwhelming.

I personally feel that far better results will come every year by electing men in this way, and I know that in one or two of the cities along the Merrimac River now under commission government the mayors are considering an amendment to their charters to provide for this same thing, as they feel that the group method of elections is not proving satisfactory."

LEWIS JEROME JOHNSON.¹

VOTERS' LEAGUES AND THEIR CRITICAL WORK²

IN A country village where each man knows his neighbor's parents and sat with him in Sunday school, the choice of candidates for public office is not embarrassed by ignorance of their character or qualifications. The elector's judgment may be cramped by prejudice, he may refuse support on principle to a free thinker or a man who does not paint his barn,

¹ Professor Johnson is a member of the Harvard engineering faculty. He has for years given close and thoughtful attention to city problems and especially to commission government and preferential voting of which he is a strong advocate. Several years ago he was foremost in the movement for a new charter for Cambridge.

² See article on "Chicago Voters' League," by Frank H. Scott, in the *Proceedings of the National Municipal League*, 1903.

but he has at least a fair chance of knowing by personal acquaintance whether John Doe has made or would make a competent selectman or pound-master. The advocates of the short ballot have argued quite convincingly that this is far from true in the larger communities, the city and the state, and have pointed out a remedy in the concentration of attention upon fewer offices with more responsibility. But even were this beneficent plan put into execution, the voter might be misinformed or wholly uninstructed upon the experience and character of aspirants for public office. No one, I think, would maintain that partisan newspapers have been reserved in commenting upon the incomparable merits of their own candidates and the incredible misdemeanors of their rivals. Their vehemence is met with respect in inverse ratio, and among that portion of the electorate that can be influenced by information these contests in rhetoric effect but little. Indeed, under the long ballot that lingers with us, were this invective to pass for argument, only opinion as to the principal candidate would be affected. The names of those who bid for less conspicuous honors are passed over in ignorance and silence; yet, while the offices they seek are less important to the community as a whole they touch much more nearly the daily life of the citizens at home. The voter, in a quandary, looks for some reliable guide that he can credit with impartiality and sound judgement. Slowly and with much travail such an organ is evolving in the shape of a civic association which undertakes the investigation of candidates, reports upon their records, and without regard to party bases recommendations upon this evidence.

When corruption in a city council or a legislature becomes so gross as to break the back of patience, mass meetings appoint committees of one hundred and at their instigation permanent organizations are erected to act as proctors for the public interest. The final and effective instrument is usually an executive committee of a dozen members, more or less, chosen from widely known and reputable citizens of every shade of political opinion. That is in brief the history of the Municipal Voters' League, Chicago, and may stand for that of nearly all such organizations.

There are two factors in government, the law and the officer. Some civic associations devote attention primarily to the correction of the one, some to the improvement of the other. It is not surprising, however, that there appears to be a tendency for these nonpartisan associations to concentrate upon securing better men, since better men can be relied upon to enact better laws or to enforce poor laws judiciously, whereas the best of laws is impotent under a dishonest or incompetent administration.

To secure good men in office in the first place demands intelligent and fearless criticism, and to furnish this to the public is no light enterprise for an executive committee. It is an awesome thing coolly to print an estimate of a candidate's personality. It is not difficult to rehearse his training or

point the lack of it, but to publish its mature opinion on his character and temperament imposes heavy responsibility upon a civic body. There must be honesty in the committee, of course, as well as earnestness, diligence and rare judgment. That these have not been lacking is demonstrated by the fact that though such estimates have been published with startling frankness, to the best of our information, no candidate has seen it worth his while to sue for damages in libel.

In the report of the Minneapolis Voters' League the following appears: "Put in the briefest language possible, the real fundamental tests of aldermanic service are honesty, intelligence and effectiveness, with ability to see clearly where the public interests lie and the courage and independence to serve on the side of the public against private or special interests." Of course such qualifications are hard to ascertain by any scientific gauge. Some reports on candidates are more amiable and tolerant than others; some leave an image so shadowy and pallid that the reader cannot quite understand this man is recommended or disapproved. But many of the pictures are painted with poster-like vividness. A man may be praised as a legislator of "foresight, industry and courageous initiative," or he may be remembered as a "rubber-stamp," "absurd" or "vicious." Frequently candidates for the same office seem equally satisfactory and a league is glad to recommend them all, or when all seem equally hopeless little comment is vouchsafed and it refuses to discriminate. For example, consider the candidates for alderman in the first ward of Denver as they were mentioned last May in the voters' directory of that city's civic league:

Archie Bloom (Rep.). Residence 1100 Walnut; clerk in grocery business; young, single; never held office; untried.

James P. Coates (Dem.). Saloonkeeper at residence, 842 Lorimer; present incumbent; machine alderman; undesirable.

Eugene Madden (Cit.), Residence 1047 9th St.; saloonkeeper at 1140 Lorimer; reported never held office.

There are times, too, when a league frankly chooses the lesser of two evils as in Minneapolis last September, C. B. Wadell was preferred as a county commissioner. Perhaps it is worth while to restate the comment of the voters' league upon him and his rival as it was published before the primaries in the *Minneapolis Journal* for September 12, 1912:

C. B. Waddell—Market gardener. Resides in St. Louis Park. Age 52. Lived in district thirty-two years. Finishing first term on county board. Made a fairly good start and offered hope of becoming a useful official, but his later record is disappointing. In the past two years he has gone over completely to the combine. Too willing to trade his independence for patronage and improvements in his district. He was the key to the situation in the board. It was in his power by his vote in the organization to have made it a force for effective business administration. He chose the

other course, and should rightly bear his share of the responsibility for the present unhappy condition in the board affairs. He is not entitled to re-nomination, but is preferable to four years more of Andrew Smith.

Andrew J. Smith—Farmer. Resides at Brooklyn Centre. Age 68. Lived in district fifty-eight years. Civil War veteran. Served two terms on the county board ending 1908. Member of most of the combines of his day and a typical representative of the old school political spoilsman. He had largest opportunities for usefulness, but was interested chiefly in keeping numerous members of the Smith family on the county pay-roll, furnishing supplies, road repair and contract work, etc. Distinctly not qualified for further service on the board.

There are other criteria besides personal reputation and voting record, by which civic associations may seek to judge the qualification of a candidate. The Municipal Voters' League of Chicago draws up a little platform declaring in some dozen articles what constitutes honesty, independence and efficiency in an alderman, and this each candidate for that office is invited to adopt as a part of his promise to his constituents. His answer to this invitation is printed with his record in the election bulletin of the league. The Municipal League of Buffalo last Autumn asked each legislative candidate³ to pledge support to a proposition for a referendum to the citizens of Buffalo on the matter of a new charter. Twenty-seven out of thirty-six signed that pledge; the recusants were carefully remembered in the League's reports.

It is a common practice is estimating the legislative career of a candidate for reelection to select some few measures wherein to the mind of the committee the moral issue was well defined and using these as touchstones of the candidate's loyalty to public interest. For example the Buffalo association in a broadside to the voters of the second assembly district took as tests six measures considered in the last session of the legislature and recommended the present incumbent on the ground that he had been found satisfactory on all these questions.

Associations send their bulletins generally to all applicants as well as members. Some, like the Citizens' Union of New York City, actively distribute "literature" in appropriate districts. The work of this organization, which is one of the oldest of its kind, is worthy of some special mention. It maintains an expensive legislative bureau at Albany, reports the bills introduced by each assemblyman and senator from New York City, and his vote on all measures that affect the city's interests. The summary, which each legislator is invited to criticize, is finally published with a short estimate of each man's service. This is probably the most complete legislative record of this kind in the country, and is certainly the most convenient hand-book of the legislation of the session published in the state. The union under-

³ See NATIONAL MUNICIPAL REVIEW, vol. i, p. 503.

takes much the same work in connection with the board of aldermen and has done much to revive interest in this ancient body.⁴

Not only in these annual reports does the Citizen's Union express its criticism on the work of representatives, but likewise in its paper, *The Searchlight*, which appears bi-monthly, it comments on their accomplishment or lack of it. Candidates without official experience as well as those who stand for reelection are investigated, and when no nominee seems adequate the union sometimes names candidates of its own, taking on the function of a party, as when in 1901 it nominated and elected Seth Low as mayor of New York.

With civic organizations that seek to influence legislation more directly than by a criticism of the legislators, however, too much campaign activity has been found to be embarrassing. The City Club of New York formerly published estimates of candidates for the legislature couched in language that left little room for complaint on the ground of vagueness. It published its last report on candidates in 1908. "Dry Dollar" Sullivan was introduced as an "associate of thieves" and a typical New York tough, "Pat" McCarren found himself described as "a scoundrel" and "wholly unfit for office," Senator Stillwell was treated to some darksome pages of his professional history as a Westchester lawyer. After election in which the Tammany ticket was successful, when the secretary went to Albany he observed a curious reticence on the part of these gentlemen to cooperate in any legislation desired by the City Club. They were in no mood for argument. They remembered the Club's little directory of candidates and set all their powerful influence against any measure it had to propose. Believing, then, that it was better to work as amicably as possible with the servants who were given it, the function of formal criticism of candidates was abandoned and the club now confines its attention chiefly to legislation in the city or that enacted for the city by the state. It is "not in politics and it refrains strictly from any participation in nominations and elections even in municipal campaigns." The removal of dishonest or incompetent officials it still regards as a function proper and expedient. In 1908 it preferred charges based on the report of the commissioners of accounts against John F. Ahearn, president of the borough of Manhattan, who was removed after a protracted trial. The club also aided by providing counsel and other wise in securing the removal of borough presidents Haffen of Bronx and Gresser of Queens.

The executive committee of the Municipal Association of Portland, Oregon, for some time seriously considered the recall of District Attorney Cameron on the ground of inefficiency and unfaithfulness. The election would have been called but that no suitable man could be found willing to under-

⁴See NATIONAL MUNICIPAL REVIEW, vol. i, p. 136.

take a campaign for that important and responsible office. The committee also attempted to induce capable and trustworthy men to offer their names as candidates for various places in the general election, with very little success. "While many of them," the secretary writes, "are willing to serve without pay, they are not willing to be subjected to the unjust suspicion and criticism they must frequently bear." It may be said that it is in just this connection that committees of criticism play a very useful part. It is by such honest, competent and self-respecting citizens who are prevailed to make the sacrifice to enter public service that the "well done" of a non-partisan civic league published deliberately and distributed at large at the close of the official term, is most appreciated. The association with its "record" is not only useful as an avenger to strike the faithless, but likewise as a judge who offers high reward for service well performed. The salaries of public office are not alluring, and it is scarcely reasonable to expect men who value their reputation to engage to defend the public interest against the many private suitors who will hesitate at no threat to cow him down and no calumny to avenge their disappointment, unless he knows that there is some body of citizens, however small, who, freed from party rancor and possessed of unusual experience and intelligence, view his work with sympathy and understanding and stand ready to commend him publicly when his term is finished.

One of the most hopeful signs in present politics is that, judging from the reports of these associations, the ancient policy of passing the office around from hand to hand finds fewer advocates with each succeeding year. It is coming to be realized not only that the emoluments of public office should not be used as alms to tide over a loyal partisan who has met with business failure, but that between two men of equal probity and effectiveness, the one with some experience has always the advantage. "Permanent tenure of office," says the *Municipal Bulletin* of Cleveland for May, 1912, "is much to be desired. A change should be made only when the good of the service demands it." "Of two otherwise good candidates," runs the report of the Municipal League of Buffalo, published on October 20, 1912, "the one who has well served in the office is recommended in order that the county may have the benefit of his experience."

Nearly all of the associations which examine the records of candidates and make recommendations based thereupon are located in urban districts where such service is most welcome. But since they concern themselves in legislation only with that which affects their own locality, there is place for a like organ of inspection in the interest of the people of the state at large. In New York State this function has been assumed by the Legislative Voters Association with an executive committee of eight representative citizens from all parts of the state besides a secretary and a treasurer. From its headquarters in Albany it watches the progress of general legislation, pub-

lishes reports and comments in its *Legislative News*, which appears "monthly or oftener," and is sent to every quarter of the state. At the close of the session it prints a summary of the conduct of each legislator on the most important bills considered, though it does not hazard the pithy character sketches that enliven the pages of many city league reports. In rural counties this service is less indispensable and is more seldom undertaken. As an example of what can be done, however, the Oberlin College Civic Club has published its first annual report on the candidates for office in Lorain County, Ohio. With the valued counsel of Professor Geiser the Club prepared a careful report which speaks with firmness and discrimination. It is difficult to see how students could come more intimately into touch with the personal element in government than by such an investigation and it is to be hoped that this example will recommend itself to other college clubs.⁵

It is interesting now to ask whether or not all this activity produces real results. By the settled friends of candidates the criticisms are received of course with delight when they are favorable and with derision or resentment when they are not. But do they attract the attention of the electorate at large and do they actually exert influence upon the result? In the case of the recommendations of the Oberlin College Civic Club every one was followed with one unimportant exception. Secretary Fesler, of the Municipal Association of Cleveland, writes as to the result of the primaries last spring, "In only one instance when we recommended the nomination of a candidate did our recommendation fail to carry. That instance was the nomination of one of the Democratic candidates for commissioner, and the cause of his defeat was the fact that he lived in a remote part of the county and was not well known. In every case where we said a candidate 'should be defeated,' or said 'not recommended,' these candidates received a small vote." The Citizens' Union speaks thus of a campaign: "All candidates on the Democratic ticket supported by the Union were elected. The only Republicans elected were candidates supported by the Union, except where the Union was neutral." This is, of course, somewhat equivocal. Other arguments than those of the Citizens' Union will prevail to secure the election of Tammany representatives, but considered year by year the work undertaken by this organization years ago and now taken up by many others is telling and effective.

In closing we may quote an editorial comment from the *New Orleans Item* for July 13, 1912: "This method of making public each year, prior to elections, the records of the legislators, many of whom seek reelection, has proved in the past a great factor in retiring ward politicians, assemblymen of an unsavory character. To brand a man as 'not very attentive to

⁵See NATIONAL MUNICIPAL REVIEW, vol. i, p. 506.

legislative duties' and to show up in black and white where he voted against every important issue that affected his constituents, which they wished passed, but in which he yielded to the commands of party bosses, is vitriolic campaign literature which no amount of buncombe or excuses can wipe out."

DIXON RYAN FOX.¹

ADULT EDUCATION IN NEW YORK CITY²

NEW YORK CITY has municipal departments of which its residents have no reason to feel proud, but this does not apply to the public lecture bureau of the department of education. New York's free lecture system is the admiration of every person who comes in contact with it. There is a continual expansion and improvement in the system, and the present course is no exception. Last year lectures were delivered in 173 lecture centers distributed throughout the various boroughs of the city of New York. A staff of 696 lecturers spoke on 1746 different topics before 5573 audiences. The total attendance was 1,000,-190, an average of 179 per lecture.

Getting its start in 1888, when a bill, entitled "an act to provide for lectures for working men and working women," was passed in the legislature and approved by the governor on June 9, the public lecture system is now a monument to the genius of the man who originated it. In 1901 the public lectures were extended to all five boroughs of the greater city, and since that time the scope of the lectures has been gradually enlarged to include all subjects of the college and university curriculum.

To discuss the free lecture system of New York without mentioning Dr. Henry M. Leipziger, the supervisor, would be like a history of France in which there would be found no mention of Napoleon. Dr. Leipziger is the general who has made adult education a success. It is his creation. The lectures were placed in his charge at the end of the second year, when the attendance had not indicated the popularity of this form of instruction which the committee had hoped for and when it had been decided to make the public lectures a special subject for supervision.

The term public lecture system does not give an accurate impression of the true character of the great educational work that is being done. Dr. Leipziger would have it named the "Institute for Adult Education," for that is what it is. The purpose of the lectures is not to amuse and entertain, but to instruct and uplift, and during the last year more serious

¹ Columbia University.

² This whole subject of adult education is considered at length in Edward J. Ward's volume *Social Centers*, published by D. Appleton and Company in the National Municipal League series.

courses were given than ever before. The spirit in the system is the spirit of the school and of the university.

This growing institution offers in part a solution of the immigrant problem, for its purpose is to educate the immigrant and to provide for his introduction into civic life, being in this respect a step in advance of the public school, which waits for the second generation. Typical of the lectures to immigrants is one given in the Italian language to Italians on the subject "What the Public Lectures can do for the Italians and Why Every Italian Should Learn the English Language," or one in Yiddish attended by a thousand immigrants, on "What Constitutes Good American Citizenship." Lectures in German are given by visiting professors who come from Europe to lecture at Columbia University.

A course of twenty-eight lectures given last year on "Principles and Practice of Electrical Engineering," by W. Wallace Ker, was attended by engineers, mechanics and automobile men, who were regular in attendance, and many of whom came from a long distance and after a hard day's work to attend the course. Professor Guthrie of the College of the City of New York gave a course of thirty lectures on American history.

Dr. Leipziger hopes to make it possible to secure a degree from a university through the medium of the free lectures. There will not, of course, be invented a short cut to knowledge, but a degree may be had after a reasonable number of years of study have elapsed. His plans include a possible future development of the reading in connection with the lectures into a correspondence school, and he does not regard it as at all utopian that courses of study graded to the various capacities of student auditors could be arranged. In his report to the board of education, Dr. Leipziger said: "This city contains a number of institutions of higher learning. A federation of our colleges and universities could be made possible, and by coöperation with the public lecture system a correspondence school under the aegis of this great union could be established. This would greatly increase the influence of these great institutions of learning, and through the public lecture system bring them more closely in touch with the people!" What a colossal idea! Such a system, the supervisor explains, will require a staff of regular teachers of adults who will make it their primary work and not a secondary object as is the case now.

Examinations are now held at the conclusion of every course and a quiz at the end of each lecture, and this feature is spreading to other lecture centers. Because of the intense interest manifested by the adults in many of the topics discussed, this quiz sometimes develops into a general discussion. Such discussions divide themselves into two general classes, educational and political. Dr. Leipziger proposes, therefore, to have two types of lectures, one type of a large and commanding character, to be given in the larger lecture halls, which will attract audiences from all

parts of the city, and to maintain in increasing number other courses of lectures which are adapted to the needs and desires of local audiences.

"I am an evangelist in my particular department," said Dr. Leipziger recently in discussing his work of preaching the gospel of the wider use of the school house. "What a pity it is," he continued, "that buildings which are the property of the public should not be open to the public. Why not let these centers be used more than the six hours a day required for the education of the children? There is, for instance, no reason why political meetings should not be held in the school house. The discussion of public questions in such a forum would be of great benefit. Never at any time in the history of this country has the public been so alert, so mobile, so inquisitive. The people are inquiring into the fundamentals upon which society depend."

It should be a matter for congratulation on the part of Americans that the public lecture system is an American idea in education. It is just being introduced into Europe through Paris. Until very recently New York was the only city in this country which recognized adult education as an integral part of its educational scheme. During the past year, however, inquiries came from all parts of the world, including China and Japan, with regard to the best means of establishing a similar system in those countries. Everywhere it is being recognized that education does not end with the elementary school. Milwaukee and San Francisco are the only American cities in the west that have begun the development of a similar system in connection with the public schools. The state universities, however, have taken over the idea and are branching out with extension courses. Many cities throughout each state are thus given the benefit of lectures by eminent professors in the universities.

Although only a few cities have adopted free public lectures as an integral part of the public school system, the work of adult education has been taken up by other institutions. In many cities the lecture courses have not yet passed through the woman's club stage, where each lecture is a social event and where the lecturer is expected to amuse and entertain more than to educate. The universities and other educational institutions in and near Chicago have arranged interesting lecture courses for the practical benefit of those who can not avail themselves of the more restricted educational opportunities. The University of Chicago last fall featured a course of lectures on the problems of a modern city, in which some of the most prominent educators in the country expressed their views. Lectures on modern city problems are advertised all over the country for this winter.

A comparison of the system developed in New York City with the irregular lectures in connection with university extension work confirms the correctness of Dr. Leipziger's assertion that the latter, because of the

limitations which their relations to scholarship and higher education impose, can never produce entirely satisfactory results. In order to introduce adult education which will really reach the masses, says the founder of the New York system, the cities must open their schoolhouses for public lectures, make them free, and make them a special object for supervision under the boards of education.

OLIVER HOYEM.

NOTES AND EVENTS

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I. GOVERNMENT AND ADMINISTRATION

The Minneapolis Charter.—For many years Minneapolis has been making an effort to secure a new form of city government. The present one in many respects is archaic. The administration of city affairs is divided between the city council and a number of boards selected independently by the people or by appointment. Most of the departments of the government, however, are administered by committees of the council, which are responsible to the council as a whole. For instance, the fire department is administered by the fire committee of the council. Thus, responsibility is divided among twenty-six men representing thirteen wards, and the burden is easily shifted. The control of the streets, except as to permanent improvements such as sewer and water mains, is handled separately in each ward and is under the jurisdiction of a street commissioner who is responsible to the aldermen of his ward. This street commissioner is very often a local political boss. It is not unusual to find one side of a street where the ward boundaries come together sprinkled and properly cleaned and the other side much neglected.

Again and again have boards of freeholders spent months in drafting a new charter only to meet defeat at the hands of the people because of lack of interest or an organized opposition which has found the four-sevenths requirement of all votes cast at the election for the passage of the charter to be its chief asset.

Progress and change in municipal administrative government, however,

seem to be in the air. Commission and federal charters have been adopted in many cities which have given the citizens thereof a part at least of the relief which they have sought. Because of this added interest in a better municipal administration in Minneapolis as well as elsewhere, a group of citizens again had the courage to prepare a charter for submission to the people of this city. For nearly a year this commission of fifteen men has given its best thought to the task.

About June 1 a proposed draft of the charter was presented. Several members of the commission recognized that expert advice upon many sections of this charter would greatly strengthen it and it was suggested, therefore, that the Minneapolis Civic and Commerce Association should secure the best obtainable assistance in making this charter as nearly perfect as was possible. This association immediately secured the services of Messrs. Henry Bruère, A. R. Hatton, B. A. Rastall, Delos F. Wilcox, and Clinton Rogers Woodruff, for a careful analysis of the charter. At the same time the association appointed a committee of seven of its members, recognized as students of the subject, to lend its assistance to the commission.

Each one of the experts was requested to make a detailed analysis of the charter and to lay special emphasis upon those provisions with which he was especially familiar. The final reports were carefully studied by the Association committee and made the basis of its report, which was then passed on to the charter

commission. Every suggestion made by each of these experts was given the most careful consideration by the members of the board of freeholders, and a considerable portion of the suggestions was incorporated in the final draft of the charter, which was submitted July 16.

The great value of securing the best counsel obtainable with reference to the various provisions of such a document is illustrated by the improvement which resulted in the original draft of the charter as a result of the adoption of these suggestions. While the charter is still one which could unquestionably be improved in many respects, it is the feeling of those in Minneapolis who have studied this document and who are familiar with similar charters which have been drafted elsewhere, that this is one of the best documents which has ever been proposed.

The powers which are granted in the charter are very extensive and confer upon the city authority to undertake all matters of municipal concern. These powers are in form similar to those granted in the charter recently adopted in Cleveland. The government of the city is vested in a commission of seven, consisting of a mayor, city comptroller, and commissioner of public works, of public utilities and of charity and correction, and seven members of the school and library board. Every candidate must designate the office for which he is running and election is to that office. The mayor is paid a salary of \$6000 and the other commissioners \$5000 each.

The charter provides that elective officers are subject to recall upon a petition signed by 25 per cent of the entire number of votes cast for mayor at the last preceding municipal election. The initiative and referendum are also provided for. Under the initiative provision an ordinance may be presented to the council upon a petition of 2 per cent of the voters and if not adopted then after an additional 8 per cent is obtained the ordinance must be submitted to the vote of the people. The ad-

ministration of city affairs is divided as follows:

1. Division of public safety: department of police, department of fire, department of architecture and building inspection.

2. Division of finance and taxation: department of accounts, department of city treasurer, department of city assessor.

3. Division of public works: department of streets and bridges, department of sewers, department of street operation.

4. Division of public health: department of hospitals, department of sanitation, department of communicable diseases, department of vital statistics and publicity, department of laboratories.

5. Division of parks and public grounds: department of construction and maintenance, department of forestry and park decorations, department of recreation and amusements.

6. Division of public utilities: department of waterworks, department of lighting, department of transportation and communication.

7. Division of charity and correction: department of correction, department of charity and social service.

Subject directly to the authority of the council, but not assigned to any of the foregoing divisions, there shall be the following departments: department of law, department of records, department of purchase and supplies.

It is provided that the council may employ technical experts of recognized ability when needed for any special purpose. The officers of the civil service board are appointed by the council for terms of six years in rotation. Their authority and duties are extensive. The charter provided that the unclassified service shall include:

1. All officers elected by the people.

2. All members of boards or commissions appointed by the council.

3. Superintendents, principals, supervisors, and teachers in the public school system of the city.

4. The librarian of the public library.
5. Special counsel employed by the city.
6. All heads of departments, except those of the departments of records, and purchase and supplies.
7. The private secretary of each commissioner.

8. Special technical experts whose appointment is authorized by section 39.

Several of the experts employed as well as members of the board of freeholders favored the placing of a larger number of positions in the classified service, but it was urged, possibly with considerable wisdom, that the inclusion of other offices in the classified service might increase the opposition to the charter. The charter further provides that the heads of departments shall be appointed by the commissioner in charge of the division in which the department belongs, but that a certificate of this appointment shall be filed with the civil service board and that the board shall then make a careful inquiry into the qualifications of the nominee. If the board does not certify to the competency of the nominee within thirty days, the appointment shall be considered void.

The civil service section further provides that only the person standing highest in a certified list shall be appointed to the vacancy. The original draft provided that the appointing officer might select one of the three highest, but the uniform opinion of the experts upon this point resulted in the change. The civil service board is also charged with the duty of investigation as to the efficiency of the service in all departments. It is the evident intent that this board shall act as an efficiency board as well as an examining board.

The charter provides also for the submission of an annual budget by the heads of departments to the city comptroller, and the basis of this budget is provided in detail. The charter provides that upon receipt of these estimates the city comptroller shall arrange for their publication in convenient pam-

phlet form, with his own recommendations and comments, and that these pamphlets shall be supplied to any citizen upon application and to city officials.

The chapter on franchises caused the largest discussion and it was upon this chapter that the greatest difference of opinion existed. A feeling of one group of members of the board was that the specification of conditions of a franchise should be left to the determination of the council granting the franchise. The feeling of another group was that the charter should specify in detail as to the basis upon which a franchise might be granted, and that comparatively little authority should be left to the council as to the terms of franchises. The latter plan modified considerably was finally adopted. It provides that no public service franchise shall be granted except by an ordinance approved at a general or special election by a majority of the qualified electors of the city voting thereon. No public service franchise may be renewed prior to four years before the date of expiration. No perpetual franchise shall ever be granted and no franchise shall be granted for more than twenty-five years. Every corporation rendering any public service in the city under a public service franchise is required to furnish annually a detailed financial report and the city is given authority to make examination of the books and affairs of such corporation. The charter specifically provides that in determining a valuation for the fixing of rates no allowance shall be made for franchise value, good will, earning power or going concern value. Every franchise granted also must provide either for an automatic regulation of rates or must reserve to the city the right to regulate rates at intervals of not more than five years. Every franchise must provide that at the expiration of the grant or at intervals of not more than five years the city shall have the right of purchase. The city must also be given the right to regulate the service and extensions.

The charter also gives the city the power of eminent domain, including public utilities, and power to make all special assessments and charges for local improvements.

The common criticism of the charter is that it goes too largely into detail. However, it seems in general to provide for a city administration which is in accord with the best thought of the day, and is only about one-fourth the length of the charter and board acts which it is intended to supersede.

The election for its adoption was set for September 30.

HOWARD STRONG.¹

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Municipal Home Rule in Ohio; Supreme Court Upholds Cleveland Charter.

—The supreme court of Ohio on August 26, by a vote of three to three sustained the constitutionality of the election provisions of Cleveland's new charter. The sections under consideration provide for nomination by petition only, for a non-partisan ballot, and the preferential system of voting. The legal question arose over the conflict between the state election law and the election provisions of the new charter. The state law provides for a partisan primary in September. The secretary of state ruled that the state law was paramount and that the charter provisions do not supersede the state law even in local municipal elections. The board of elections was instructed to proceed with the holding of partisan primaries. The city brought mandamus proceedings to prevent the misapplication of funds for that purpose. The lower courts overruled the demurrer to the petition of the defendant and judgment was rendered in favor of the city. The case was then carried to the supreme court.

The six judges, though on vacation, agreed to hear the case at once. Attor-

ney-General Hogan and his assistant Robert M. Morgan represented the state, and assistant city solicitor John N. Stockwell and Mayor Newton D. Baker represented the city. Long and exhaustive briefs were submitted by both sides and an oral hearing was granted. The attention of the entire state was focused upon the case for it was to determine how broadly the home rule amendment will be interpreted.

The supreme court refused to reverse the order of the lower court granting the injunction, but no written opinion was handed down at that time. Justice Johnson was selected to prepare the majority opinion and Justice Shank the dissenting opinion.

The city contended in its brief:

a. That the provisions of the charter supersede the general law in all matters pertaining strictly to local government.

b. That the right to frame a charter and exercise thereunder all powers of local self-government includes the right to prescribe the method of nominating and electing municipal officers.

c. That the "powers of local self-government" mean not only proprietary or private powers, but all local governmental powers as well.

d. That the method of nomination and election of officials is not the exercise of a police power.

e. That the charter provisions are not in conflict with the provisions of the constitution which require that nominations "shall be made at direct primary elections, or by petition as provided by law," because the charter provisions are "law" in the meaning of the constitution.

The state on the other hand contended:

a. That the city has and can have no jurisdiction over state appointed election officers.

b. That the city has no jurisdiction over the subject of nominations and elections because they are matters of general and not municipal nature.

¹ Secretary Minneapolis Civic and Commerce Association.

c. That nomination regulations constitute an exercise of police power in which matters the state law is supreme.

d. That the constitution itself commits the subject matter of nominations and elections to the general assembly.

Attorney-General Hogan made much of the old argument that if the city were sustained in its contention, there would be established an "imperium in imperio" in Ohio.

The full written opinion of the court will be awaited with more than ordinary interest by the cities of the state, because in most of them where charters have been adopted under the home rule amendment, provision is made for a nominating system different from the requirements of the state law.

MAYO FESLER.¹



Commission Government.—*In Pennsylvania.* As the last issue of the REVIEW went to press, Governor Tener of Pennsylvania signed the so-called Clark bill providing commission government in a mandatory form for all third class cities and in a permissive form for boroughs of over 10,000 population. By this act the following cities, with populations as indicated, will come under the commission system without referendum: Reading, 96,071; Wilkes-Barre, 67,105; Erie, 66,525; Harrisburg, 64,186; Altoona, 52,127; Johnstown, 55,482; Allentown, 51,913; McKeesport, 42,604; York, 44,750; Williamsport, 31,860; New Castle, 36,280; Easton, 28,532; Chester, 38,537; Lebanon, 19,240; Bradford, 14,454; Hazleton, 25,452; Carbondale, 17,040; Oil City, 15,657; Pittston, 16,267; Meadville, 12,780; Titusville, 8533; Franklin, 9767; and Corry, 5991.

On July 30, Beaver Falls voted to become a third class city and *ipso facto* to come under the Clark law. An election for the same purpose was held at Home-

stead on July 29, but the proposition was defeated. Petitions for the submission of the act are being circulated in many of the eligible boroughs.

A. M. Fuller, president of the Allied Civic Bodies on Commission Government, recently addressed a communication to the third class cities concerning the operation of the law. A point of special interest brought out by this statement is that the members of the second and succeeding councils in the various cities will not be paid the statutory salaries, but will receive such compensation as is fixed by ordinance. This, Mr. Fuller points out, makes possible the reduction of the salaries of the mayor and council to a nominal figure. The money thus saved may be devoted to the salary of a city manager, although no mention of such officer is made in the act itself.

Village manager for Chicago suburb. The popularity of the city manager plan grows apace. The village of River Forest, one of the suburbs of Chicago, is governed by a board of six trustees and a president, and until recently the various departments of the working organization reported directly to the board. The system, however, was found to be unbusiness-like and made very heavy drafts upon the leisure time of the trustees. It was recognized that the organization must have continuous supervision by a responsible head. A village manager was therefore appointed to fulfill this function. Considerable publicity was given to this decision. In consequence, some seventy applications for the position were received from men of varied training and experience residing in many parts of the country. Personal interviews were given by the president or members of the board to about forty of the applicants, and from this number four were selected to be individually interviewed by the board in executive session. The qualifications to be looked for in the appointee were carefully considered by the board, and while engineering knowledge and experience were given due weight, administrative and

¹ Secretary of the Civic League of Cleveland.

executive ability were deemed of first importance.

The ordinance creating the position provides that the general superintendent shall have

general authority and supervision of all the affairs of said village and all of the work of said village under the supervision and direction of the president and board of trustees; he shall follow up the orders and directions of the board of trustees, see that the same are properly served and executed without delay, receive and refer to the proper persons the correspondence on behalf of the village and shall be the proper person to whom complaints as to the public service shall be made, and shall have power to hear and adjust the same; it shall be his duty to make reports from time to time to the president and board of trustees of the conditions of the public service in said village and the public work going on therein, and of all matters coming before him which require by law the action of the president and board of trustees; he shall also make recommendations from time to time to the president and board of trustees, recommending improvements in the public service and municipal affairs, and upon such other subjects that should come before the president and board for consideration; he shall also have general charge and supervision of the work of the officers and departments of the village.

Charter trouble in Wichita. A well informed correspondent in Wichita has analyzed for the writer the causes of the trouble which is arising in that city under the commission form of government, to which considerable publicity has been recently given in the press throughout the country. The general fault found with the plan is that it is expensive, and that so far from getting rid of the politicians, politics is played as much as under the councilmanic form. It is claimed, for instance, that there are five different governments at the city hall—the mayor and each of the four commissioners; that each has a special department, and in order to make a showing, each spends city funds; that if each did not have to make a showing to be reelected, certain expensive operations would not have to be undertaken.

It seems also that there is a strong objection to giving the same five officials authority to enact ordinances and to enforce their own wishes, and that this feature of the commission plan has allowed personal opinion to get into ordinances, causing at times a great deal of unfavorable agitation.

It is pointed out specifically that a certain man who had been defeated three times by the people was able to get an appointment to a responsible position under four different mayors, though but one of them wanted him.

The Wichita commission has recently voted \$88,000 in bonds to cover current deficiencies.

Continued charter activity in Ohio.—Cleveland. On July 1, Cleveland, the first of the Ohio cities to take advantage of the home-rule amendment,¹ adopted its first charter by a decisive majority.

Charter defeats. On July 15, three Ohio cities, Salem, Elyria and Canton voted down charters which were based on the general theory of commission government. The defeat was especially decisive in Canton. The plan under consideration in Elyria was the city manager type and the vote stood 957 to 801, the result turning upon the adverse vote in two election precincts. On July 22, Youngstown turned down a "city manager" charter by a vote of 5984 to 2973. This was not unexpected, as the Youngstown *Vindicator*, a powerful Democratic newspaper, consistently opposed the charter both as a whole and in detail. The result of course leaves Youngstown outside the pale of the home rule cities as under a recent decision of the supreme court no city may enjoy the home rule provisions of the constitution except by adopting a charter.

Norwood on August 19, and Akron on August 29 defeated charters embodying the commission plan.

Dayton. The new city charter de-

¹ See NATIONAL MUNICIPAL REVIEW, vol. II, pp. 472-473.

scribed in full on p. 639 of this issue was adopted on August 13 by a vote approximately of 13,217 to 6,042.

More charters in the making. The Youngstown defeat, however, did not act as a damper upon the commissioners in other cities, and at the present moment action is about to be taken in two of them upon city manager charters.

At a recent election Sandusky, Ohio, instructed its commission to draw up a charter upon city manager lines. The ticket elected in this city was the one put up by the Municipal League.

Cincinnati, on July 29, elected a charter commission of a moderately progressive complexion. This was the ticket headed by Walter A. Knight and put before the people by the Citizens' Charter Committee.

In opposition to the successful ticket was the one supported by Rev. Herbert S. Bigelow who had been conducting many public meetings among the labor unions in an effort to consolidate the labor vote in favor of municipal ownership and other radical issues. There was also in the campaign a rather strong movement in favor of retaining the existing charter or rather operation under the Ohio code.

The Springfield, Ohio, Charter. A real contribution to charter literature is the new document put out by the commission in Springfield and particularly that portion which has to do with the statement of the general powers of the municipal corporation. It has been customary in American cities, due largely to the tendency of the courts to limit the powers of the city within the narrowest confines, to set down the municipal powers in the charter in the most detailed terms. So far as the writer's knowledge goes, this is the practically universal custom. The Springfield commission, however, broke away from the precedent completely, and if its statement will stand the test of court interpretation, the charter is certainly to be commended both for its brevity of form and for the

latitude which it gives to the city in the exercise of municipal functions. The statement of powers as set forth in section I is as follows:

It [the city] shall have and may exercise all powers which now or hereafter it would be competent for this charter specifically to enumerate as fully and completely as though said powers were specifically enumerated herein, and no enumeration of particular powers by this charter shall be held to be exclusive.

The charter also, by virtue of section 84 adopts the general laws of the state applicable to municipalities in so far as not inconsistent with the charter and subject to ordinances of the city commission hereafter to be enacted. The president of the commission writes in support of its position that there can be no question of the effect of this simple method of defining the city's powers and that it feels sure of its safety and propriety by reason of the following considerations:

The municipality has no authority to prescribe its own powers. Upon the adoption of the charter the city would have, by virtue of the constitution, all powers of local self-government except as limited by the constitution itself. The charter might make no reference whatever to the city's powers and yet they would nevertheless exist.

The city's definition of powers does not operate to draw the powers to it, nor to exclude any undefined powers.

It must be always kept in mind that under our constitution the legislature retains no power with respect to municipalities except as to the few matters reserved by the constitution. This is the broad construction of the home rule amendments of the constitution for which those cities that adopt charters must contend and the denial of which would leave the amendment barren of any advantage for our cities.

The following corrupt practices section in the charter is interesting if not unique:

No candidate for the office of city commissioner shall make any personal canvass among the voters to secure his

nomination or election, or the nomination or election of any other candidate at the same election, whether for municipal, county, state or other office. He may cause notice of his candidacy to be published in the newspapers, and may procure the circulation of a petition for his nomination; but he shall not personally circulate such petition, nor by writing or otherwise solicit any one to support him or vote for him. He shall not expend or promise any money, office, employment or other thing of value to secure a nomination or election; but he may answer such inquiries as may be put to him and may declare his position publicly upon matters of public interest, either by addressing public meetings or by making written statements for newspaper publication or general circulation. A violation of these provisions, or any of them, shall disqualify him from holding the office, if elected; and the person receiving the next highest number of votes, who has observed the foregoing conditions, shall be entitled to the office.

This charter, which includes the city manager feature, was adopted on August 26.

The Omaha Charter. Under the provisions of the home rule amendment adopted last November, an elected convention in Omaha has completed for submission to the people a new charter. Omaha has been operating under the general commission government law for over a year and the provisions of this act, insofar as they were locally applicable, have been preserved in the new document. As western cities are wont to do, Omaha has made provisions for expansion by annexation of contiguous territory. The existing combined machinery for county and city assessment of property and for a joint office of treasurer has been continued.

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Changes in the Iowa Commission Law.—At the 1913 session of the legislature the only change made was to extend the law from cities of 7000 to cities of 2000. A new scale of salaries was adopted for cities of less than 20,000, the new scale being not to exceed \$150 per thousand population for the mayor and

\$130 per thousand for the commissioner per year. Also a minor change giving two members of the commission the right to order paving and other permanent improvements where the commission has only three members, makes the rule a two-thirds votes instead of as in other cases a three-fourths vote.

*

An Attempted Repeal of Commission Government.—Sometime ago a few disgruntled citizens of Enid, Okla., circulated an initiative petition to abolish the commission form of government in that city and return to the old system. They secured the required number of signers and at the election in April by a vote of 1246 to 636 the commission form of government was sustained.

*

Changes in Kansas Commission Law.—A bill requiring candidates for commissionerships to indicate the specific departments for which they are running was the only commission government bill to pass the 1913 session.

*

St. Louis Charter Suggestions.—Anent the deliberation of the city charter convention which is now in session a committee of the Central Civic Council, composed of William H. Beimes, Henry W. Barth and Roger N. Baldwin has pointed out the following defects in the present instrument.

The initiative and referendum provision is unworkable, owing to percentages for petitions that are too high.

Removals of unfaithful officials are possible only through involved court proceedings or action in the council. The recall is needed.

Too many offices are elective. The short ballot is needed.

Salaries are too low.

Unnecessary offices and numerous boards and commissions that are makeshifts for efficiency complicate the government and responsibility is divided, where it could be concentrated under a simplified form.

The contract system is often expensive and unjust.

Many minor details, such as paving and sidewalk ordinances and minor permits burden the legislative department. They ought to be in the hands of administrative officers.

Two houses hamper the legislative department.

Political spoils system works a handicap on civic service.

Municipal ownership or operation is not granted the city.

The present charter does not provide a means whereby parks, boulevards and other improvements can be acquired by assessment against benefited property in the same way streets and sewers are acquired.

The report of the committee will be considered by each of the civic organizations in St. Louis and in its final form will be submitted to the board of freeholders.

Miscellaneous. At the present writing, charter commissions are in session at Brainerd, Minn.; Pendleton, Ore.; Phoenix, Ariz.; Cadillac, Mich., and Marquette, Mich.

Commission government has recently been adopted in Orangeburg, S. C., and Cheyenne, Wyo. Late in June commission government was defeated in Camden, N. J., and on July 16 in Valley City, N. D.

The commission government law in Missouri for the benefit of third class cities has been declared by the circuit court to be unconstitutional on the ground of a discrepancy in the wording of the title and the text of the act. This decision of course, is subject to appeal to the supreme court.

H. S. GILBERTSON.¹

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Civil Service Notes.—*Cleveland.* The civil service provisions of the new charter are similar in many respects to those of the draft of a civil service law for cities prepared by a committee of the National Civil Service Reform League.

The civil service commission will consist of three members appointed by the mayor to serve for overlapping terms of six years each. It is authorized to establish a system of efficiency records to be used as a basis for promotion, reduction and separation from the service. Particular stress is placed upon the elimination of political activity on the part of all classified employees. The "city fathers" are prohibited from influencing appointments by the following clause:

No member of the council shall, except in so far as is necessary in the performance of the duties of his office, directly or indirectly, interfere in the conduct of the administrative department, or directly or indirectly take any part in the appointment, promotion or dismissal of any officer or employee in the service of the city other than the officers or employees of the council.

Dayton. The civil service chapter of the charter is, in several particulars, in direct violation of the state civil service law. The chief examiner is made the chief employment officer of the city and is authorized to certify for appointment to the city manager the name of any person on an eligible list. The state law specifically provides for the selection of the first three names on a register. By the charter a removed employee is allowed to appeal to the civil service commission from the decision of the head of the department. Such procedure, besides being absolutely destructive of discipline, is contrary to section 17 of the civil service law, which does not permit any appeal either to the commission or to the courts. It is confidently expected that the civil service section of the charter will be tested out in court and that the state law will undoubtedly prevail.

Minneapolis. The proposed charter¹ contains a creditable civil service chapter. It creates a civil service commission of three members to be appointed by the council for overlapping terms of six

¹ Executive secretary, National Short Ballot Organization.

¹ *Supra*, p. 675.

years each. No adequate compensation is provided for the members of the civil service commission, as the charter provision fixes the salaries at \$600 per annum. While the unclassified service is too large, yet an important clause of the charter provides that the civil service commission must give its approval of the appointments of all heads of departments who are in the unclassified service. This provision follows, in a measure, the Boston plan, which requires that the appointments of the mayor must receive the approval of the civil service commission.

New Jersey. On August 7 the state civil service commission held a very important examination for the selection of a chief of police for Newark. The examination was limited to captains in the department, who were examined by a special committee consisting of Martin H. Ray, assistant to Director of Public Safety Porter of Philadelphia, and Gardner Colby, secretary and chief examiner of the New Jersey Commission.

Augusta, Ga. A bill establishing the competitive system in the police and fire departments recently became law.

Beacon, N. Y. At its regular session the New York legislature passed a bill incorporating the city of Beacon, which was signed by Governor Sulzer over the opposition of the New York Civil Service Reform Association. This bill was opposed by the Association because it authorized the council (composed of the mayor and four commissioners) to act as a civil service commission. Such procedure is contrary to the provisions of the civil service law, which provides for municipal civil service commissions independent of the appointing power and subject to the supervision of the state commission. Notwithstanding the charter provisions, the administration of the merit system in Beacon has been organized as required by the state law. The state commission recently met with Mayor Frost and the four members of Beacon's council and recommended the

appointment of a municipal commission. On August 4 the council passed a resolution appointing a commission which has recently adopted rules governing the merit system which have received the approval of the state commission.

New York City. The most important development affecting the city service was the appointment by Mayor Gaynor of a commission of thirteen members to frame a "scientific pension law." Several organizations, such as the Civil Service Reform Association, Citizens Union, City Club and Bureau of Municipal Research, which have opposed in the past legislative bills creating "patchwork" systems of annuities, are represented on the commission.

GEORGE T. KEYES.¹



The National Assembly of Civil Service Commissions has appointed the following committee on a model civil service law: John T. Doyle, United States Commission; Robert Catherwood, Cook County (Ill.) Commission; F. E. Doty, Wisconsin Commission; Henry Van Kleeck, Colorado Commission, and Lewis H. Van Dusen, Philadelphia Commission. The Assembly has expressed a desire to receive criticisms or suggestions in reference to a model law.



Proportional Representation. A bill has been introduced into the House of Commons to authorize the introduction of proportional representation in municipal elections, and for other purposes connected therewith. The object of the bill is to confer on municipal boroughs the right, under certain conditions, to adopt, in place of the present system of election, a system of proportional representation. According to the *London Municipal Journal* it is not proposed to make the change compulsory. Unless

¹ Secretary, National Civil Service Reform League.

it commends itself to three-fifths of the members present and voting at a council meeting after due notice, no change can take place. To ensure that all members of the council are informed that the question is coming up for discussion and decision, special notice of any resolution must be given not less than one month beforehand. If the resolution is passed by a majority of three to two, the practice of electing annually one-third of the members will be discontinued, and triennial general elections will take their place. Should the results prove unsatisfactory the bill provides for a reversion to the old system after three years by resolution of the council passed by the same majority as that by which the change had been effected.

Pennsylvania Adopts Party Enrollment Measure.—In order to keep primary voting strictly within the party, the Pennsylvania legislature has passed a bill requiring electors to declare their political party affiliations at the time of registration and to accept the primary ballot of the party under which he is registered. No penalty is attached by the law to refusal to enroll except that failure to do so deprives the elector of a vote in the nomination of any party candidates except those on non-partisan ballots—law judges and municipal officials in second and third class cities. Violations of the act subject registrars, assessors, election officials and electors to a maximum punishment of \$1000 fine and one year in jail.

II. FUNCTIONS

Municipal Utilities.—*Dr. Delos F. Wilcox*, on July 1, severed his connection with the public service commission for the first district of New York, where he has been chief of the franchise bureau practically since the commission's organization. He will engage in private practice as consulting franchise and public utility expert. He will make franchise surveys, formulate franchise policies, draft and criticise public utility legislation, negotiate franchise settlements and draft franchise contracts and ordinances.

One of his most recent activities has been a study of trolley congestion in Newark and a criticism of Newark's pending terminal franchise proposals. This study and criticism is entirely too local to reproduce here even in summary. Of general interest, however, are the population statistics he works out as a basis for adequate future transit plans for such a city. He believes that by 1960 the city's population will be 1,280,610, an increase of 372 per cent. During this fifty-year period, he concludes, the number of fares per capita will increase 169 per cent while the total number of

fares paid will increase 894 per cent. While Newark proper will have a population by 1960 of 1,280,000, he believes that Greater Newark, including the Oranges, Irvington, Montclair, Bloomfield, Nutley, Harrison, Kearny and a few small towns now reached by the Newark trolleys, will have a population of 1,990,000 or nearly four times their present population. Yet the transit facilities for these future millions are now being determined by what Dr. Wilcox holds to be inadequate and ill-advised terminal subway plans.

Dr. Wilcox, whose new office is in the Bennett Building, New York City, has long been one of the leading franchise experts of the nation. His new activities will give him an opportunity to give to the nation the high grade of public service that he has thus far so conscientiously given, through the franchise bureau, to Greater New York.

New Orleans is lowering distribution costs through control over its river front and constructive operation of its belt line railroad. It now has under municipal ownership and control nearly seven miles of river front. More than

twenty big wharves have been built at public expense and fitted with steel warehouses for the storage of freight and with modern machinery for the quick and cheap handling of cargoes. More than eleven miles of double track of its city owned and operated belt line have been in operation for some time. The city stands ready on application to build a switch track to the plant of any manufactory near its line and many switches are already in operation. The city makes a uniform charge of \$2 a car for handling freight and returns empty cars free of charge. As long as a year ago the profits of the belt line were about \$3000 a month.

The belt line performs an additional service for the city of New Orleans. Located on special sidetracks along the line are five stations for receiving and handling garbage. Specially constructed cars are in waiting and after refuse is sprinkled with disinfectants it is hauled far out into the swamps. The belt line for coördinating manufacturing establishments with land, water, and other agencies for distribution, coupled with public control and ownership of the water front in order to keep free water competition, are steps commendable to any municipality interested in industrial betterment and lower living costs.

The New Cleveland Charter provides as one of the six departments, a department of public utilities. The director of this department "shall manage and supervise all non-tax supported public utility undertakings of the city, including all municipal water, lighting, heating, power, transmission and transportation enterprises." The accounts for each public utility owned and operated by the city must be kept separate and distinct and must "contain proportionate charges for all services performed for such utilities by other departments as well as proportionate credits for all services rendered." The charter also provides a division of franchises in the department. The commissioner of this

division has charge of the enforcement of the provisions of all franchise grants.

The charter specifically provides that "no rights to construct, maintain or operate any public utility in Cleveland should be exclusive," and that all franchises and franchise renewals "shall reserve to the city the right to terminate the same and to purchase all the property of the utility in the streets and highways in the city and elsewhere, as may be provided in the ordinance making the grant or renewal, used in or useful for the operation of the utility, at a price either fixed in the ordinance, or to be fixed in the manner provided by the ordinance making the grant or renewal of the grant. Nothing in such ordinance shall prevent the city from acquiring the property of any such utility by condemnation proceedings or in any other lawful mode; but all such methods of acquisition shall be alternative to the power to purchase, reserved in the grant or renewal as hereinbefore provided." No franchise shall be valid unless it provide that the price paid by the city for the property that may be acquired by it from such utility "by purchase, condemnation or otherwise, shall exclude all value of such grant or renewal." Thus Cleveland has reserved in its fundamental municipal law continuous control over her municipal utilities.

Seattle's Municipal Plant. J. D. Ross, in a recent issue of *Street Lighting*, presents facts and data which clearly indicate that the municipal operation of Seattle's lighting plant has been a success and not the municipal failure that has been alleged in certain quarters. The lighting plant is competing with two water power companies. The charges it makes against the general fund are \$54 per arc of 6.6 amperes and \$13.80 per year per incandescent of 40-candle power. In 1905, when the city began to operate its own lighting plant, the city was paying the Seattle Electric Company \$66 per year per 6.6 ampere arc and \$15 per year per 30-candle power

incandescent. At the time of the transfer, the street lighting system of Seattle consisted of 213 arcs and 1891 incandescents. The street lighting system now consists of 929 arcs and 5876 incandescents, 100 32-candle power carbon lamps, and 1168 5-light, 377 3-light and 137 1-light poles in the cluster light system. The minimum charge per month of the municipal light and power plant has never been more than \$1 for residence lighting. The competition of the municipal plant has forced the companies to make three reductions, 40 per cent, 16½ per cent and 10 per cent in their rates since 1902.

Central vs. Local Control. A recent decision of a select committee of parliament has raised anew in England the controversy now occupying the forum in many sections of the United States as to the proper relation of central and local public service commissions. The decision of this committee requires the London council to allow outlying companies to run over their municipally owned and operated lines on terms agreed to with such outlying concerns; if terms cannot be agreed upon, however, they must be settled by an arbitrator appointed by the central board of trade. Other English municipalities with publicly owned and operated transit lines are uniting to support the London county council in opposing the bill granting such powers to the central board of trade. The select committee urged that, without an appeal from a local to a central body, the public could not be properly protected from interruption in through traffic and that the interests of all England require an appeal from authorities with only local interests at stake to authorities with a nation-wide point of view.

Dayton Charter. The proposed charter prohibits exclusive franchise grants and requires that all franchise grants or renewals shall reserve to the city the power to regulate, the right to ter-

minate and the right to purchase the utility. With these three powers in the hands of the commission, the city's public service corporations will actually be *public service corporations*.

Trackless Trams. The amount in tax and road assessments to be paid by trackless trams still remains a burning issue in England. The *Municipal Journal* of May 16 reports that the select committee of parliament had agreed on three sets of principles by which, trackless trolley trams and motor omnibuses are to be regulated in the future. These principles are "(1) Trackless trolley trams and motor omnibuses must not run upon roads of less than a specified width. (In the Chesterfield case the limit of the carriageway is fixed at 17 feet, and that of the footpath at 4 feet); (2) The promoters must pay a third of the cost of widening the roads to the standard laid down; (3) The promoters must pay the whole of the extra cost of road maintenance due to the use of the roads by their vehicles." It is urged, however, that this is not sufficient remuneration by such concerns. Motor traffic, it is alleged, has necessitated the construction of stronger foundations and the employment of more costly forms of caring for modern roads. These necessities have increased the expenditure in the Greater London area by a sum which competent experts estimate to be the equivalent of a penny rate annually levied. The petrol tax, now paid by the proprietors of motor vehicles, it is further stated, would defray, not more than a fraction of the increased cost of road construction and maintenance resulting directly from the motor truck. Licenses for motor trucks and for trackless trolleys will no doubt very shortly be a leading problem in American cities.

CLYDE LYNDON KING.¹

¹ Of the University of Pennsylvania and editor of "The Regulation of Municipal Utilities" in the National Municipal League Series.

Pasadena's Municipal Lighting Plant.

—Municipal ownership has been put to test recently in Pasadena, Cal. This city's lighting plant was started in 1907 as a protest against high rates and against unjust bills tendered by the Southern California Edison Company. Though but six years old, there were 4333 of its meters in use on January 1, 1913, as compared with 1700 customers four years ago. The total amount of money handled in financing the plant up to July 1, 1912, was \$684,409.33. Of this amount \$552,059.48 was used in new construction. On March 29, 1913, the property was valued at \$580,745.23. Taking from this the depreciation reserve of \$95,679.32, the plant's present worth is \$485,065.91. During its six years of life its net profits have totaled \$48,004.35. The net operating receipts for the nine months ending March 29, 1913, was \$50,937.34. This amount less depreciation (\$18,130.55) and bond interest (\$18,446.25) for that period shows a profit of \$24,360.24.

This showing has been attained under no slight difficulties. The Southern California Edison Company serves from twenty-five to thirty cities in that state with a total population of 450,000 to 475,000. These cities include Los Angeles (320,000) as well as Pasadena (32,000). The company has lowered its rates in Pasadena to points quite below those asked by the city's own plant, though the city's rates and terms are much lower than those formerly asked by the company. The company's rates are higher, however, in the other cities. From the proceeds from these cities the company pays the loss due to its attempt to bankrupt Pasadena's plant through lowering rates. And yet, despite the fact that its rates are higher, the number of customers of Pasadena's plant is increasing. This loyalty points to ultimate success.

This situation is probably typical of the competitive conditions publicly owned plants will have to meet. The

growing centralization of ownership and operation of municipal utilities will give a campaign for ownership greater opportunities for success, as the social and political opposition of local owners will not have to be overcome. But as soon as publicly owned plants are started they will have to face competitive warfare with a company whose war chest is being daily and indefinitely recouped from higher rates and poorer service in other cities.

The opposition to Pasadena's lighting plant has found most virile expression in *Public Service*, the Chicago organ of certain lighting interests. The editor of *Municipal Engineering*, after a careful study of the facts, finds these statements in *Public Service* to be "out of date, incorrect, based on wrong assumptions and therefore misleading, apparently with intent."

The best proof of the success of municipal ownership is that lighting interests find it necessary to keep a staff at work to prove that it is not successful. But misrepresentation of facts even from a corporation point of view is not a paying method for "guiding" public opinion; it shows malicious intent and leads to the suspicion that the reason for opposition is municipal success.

CLYDE LYNDON KING.



Municipal Ice Plants.—The attempt of Borough President McAneny to secure the establishment of a small municipal ice plant in New York by way of an experiment, although it was blocked by the veto of Mayor Gaynor, has aroused widespread interest in that new municipal activity. Indeed, it must be regarded as among the newest excursions in the field of city government, but its urgency has long been apparent. The ice famine in New York a year or two ago, accompanied by exorbitant prices and great suffering among the poor, the strike in Cincinnati this summer, and the recognition of the relation of a plentiful ice supply to health and particu-

larly child welfare have all combined to bring the subject prominently to the front.

Searches among the records of American cities, however, seem to throw little or no light on the subject. The magazine *Concerning Municipal Ownership*, in the issue of November, 1906, reported that when Boston experimented in municipal ice a few years before by cutting it from the city reservoir the books showed an expense of about \$60 a ton. If full credence is to be given to this report, the experiment was certainly not encouraging. The magazine in question was, however, published for the sole purpose of showing the horrible examples of failure in municipal ownership, and it was not always as discriminating as it might have been in reporting extenuating or explanatory circumstances.

The *Municipal Journal and Engineer* for September 12, 1912, is authority for the statement that several American cities have been prevented by judicial orders from engaging in the manufacture of ice, but it does not go into details. The socialist administration of Schnecktady was forbidden to sell or give away ice in the summer of 1912 by an order from a court. On the other hand it appears that the supreme court of Georgia views the operation of a municipal ice plant as among the legitimate functions of a city government.¹ The *Municipal Journal* of February 20, 1913, is also authority for the statement that Willimantic, Conn., had been given the right to harvest and sell ice by a charter amendment in 1907, and that the board of aldermen had appropriated the money to procure machinery and equipment. The same magazine for April 20 states that Sacramento, Cal., has prepared a report on a proposed municipal ice plant which estimates that the cost to the consumer would be reduced 500 per cent by such an establishment. A subject so closely related to public health

and comfort deserves the most careful study and consideration, and it would be a timely service if someone would make an exhaustive examination of it in its technical, legal and administrative aspects.²



Public Utilities in Havana.—The *Gaceta Administrativa* of Havana, a semi-monthly publication devoted to questions of public administration, contains a severe arraignment of the manner in which public utilities are permitted to disregard their obligations, through the lack of efficient supervision by the administrative authorities. As examples of the need of proper supervision the *Gaceta* takes the gas light company and the tramways of Havana. The charge for illuminating gas in Havana, a city of over 300,000 inhabitants, is declared to be nearly 9 cents a cubic yard, as compared with charges of less than 3 cents a cubic yard in certain of the large cities of Europe. With this enormous charge the service is described as antiquated and unsatisfactory and the reason for this state of affairs is laid to the fact that franchises are extended beyond the original term of years without proper publicity and opportunity for other bidders.

The tramways are said to be in such a dilapidated and filthy state as to be in the highest degree unsanitary, while the railway cars are of mediaeval construction, lighted by petroleum and without the first conveniences for travelers. The *Gaceta* declaring that no attempt at all is made by the public officials to safeguard the general interests against the selfish attitude of the companies in charge of the public utilities, hopes that the time may soon come when these public utility corporations will not be permitted to do only that which seems to them best.

HERMAN G. JAMES.

¹ See NATIONAL MUNICIPAL REVIEW, vol. II, p. 339.

² The Editor of the NATIONAL MUNICIPAL REVIEW will welcome additional data on the subject of municipal ice plants at home and abroad.

Trolley Freight as a means for better local distribution and better facilities for direct marketing for farmers, and better food at lower costs for the urban dweller is discussed in full by Dr. Clyde Lyndon King in *The Aera* of June, 1913. Further illustrating the possibilities for trolley freight, as indicated in Dr. King's article, Henry M. Hyde has pointed out that, within the limits of fifteen or twenty miles from the center of Chicago, vegetables, small fruit and other truck are grown to the value of \$7,000,000 a year. Almost all of this produce is now hauled into the city by wagons. The trolley lines of the city not only tap this farming country, but also have connection with the transportation systems running into the center of the city.



Minneapolis Fixes Seventy Cent Gas Rate.—By a vote of 22 to 3, the city council passed an ordinance fixing a 70 cent gas rate to take effect September 1. Prior to this the rate had been 85 cents. Action by the council came after a spirited debate in which opposition to the passage of the ordinance was made on the ground that there is too narrow a margin between the rate of 67.8 cents fixed by experts as the figure at which the gas company could make a bare profit of 6 per cent and the 70 cent established by the ordinance. It is expected that a long drawn out battle between the city and the gas company will ensue as a result of this ordinance.



Municipal Ownership Contest in Omaha, Neb.—In view of a recent decision of the Supreme Court of the United States upholding the rights of the electric light company in Omaha, whose charter expired many years ago, a strong movement for the establishment of a competing municipal plant has set in.



Chicago's Financial Difficulty.—As a result of a decision of the supreme court

of Illinois interpreting the Juul revenue law of the state, the city of Chicago found itself in 1912 in the severest financial difficulty since the days of the great fire. The Juul law grew out of an idea that the aggregate rate of taxation, exclusive of specified exceptions, shall not be more than 1 per cent on the actual valuation of taxable property, and up to 1909, property being assessed at one-fifth its actual value, the maximum tax rate outside of the exceptions was placed at 5 per cent of the assessed valuation. The bonding limit was based on the assessed valuation and fixed at 5 per cent. In 1909, in order to increase the bonding power of Chicago, the Juul law was amended whereby the assessed valuation was increased from the one-fifth to one-third of the real valuation and the maximum tax rate decreased from 5 per cent to 3 per cent of the assessed valuation. As part of the changes introduced by the amendments to the law, the maximum rates of some of the taxing corporations were correspondingly reduced, and here the city of Chicago got the worst of it. Up to 1909 the maximum tax levy for the city was \$2 for each \$100 of assessed valuation; for the county, 75 cents; for the sanitary district, \$1; for the board of education, not including school buildings, \$2.50; for the tuberculosis sanitarium, 10 cents; and the public library, 10 cents. All these tax levies were subject to a "scaling;" that is, when the tax rates were figured out, the levies were cut down proportionately so that in the aggregate they would not be more than 3 per cent. In 1909, when the law was changed, the maximum levy of Chicago was reduced from \$2 to \$1.20; the board of education's levy for educational purposes was cut down from \$2.50 to \$1.50; and the library's maximum was reduced to 6 cents. The maximum rates for the other taxing bodies, however, remained the same. As a result of the law the various taxing bodies swelled their tax levies in order to come out from the scaling process with as

large a proportion of the 3 per cent as possible. Some of them were even able to lay by a neat surplus. But the city could do very little to swell its levy. It was safeguarded by a minimum of \$1.10 but held down by the maximum of \$1.20, with the practical necessity of levying sufficient in addition to pay principal and interest on part of its bonded indebtedness.

In 1911, the county clerk in fixing the rate for the city, allowed it the \$1.10, plus the rate necessary to pay the charge arising under its bonded indebtedness, or a total of \$1.43. Up to that year the interest and sinking fund on bonded debt was carried outside the Juul law limitation only on bonds issued subsequent to the enactment of the law. But by this time so many bonds had been approved by referendum and issued after the passage of the Juul law that the interest and principal charges growing out of them became evident as forming the greater part of the city's levy for interest and sinking fund, and as a result of this situation the interest and principal charge on all bonded indebtedness was placed outside the corporate purpose limitation.

As usual, the city made its appropriations for the current year early in January and about the same time passed the tax levy out of which the funds appropriated were to be paid. The levy, however, following custom, was not to be collected until the following year. In the meantime, the city met its running expense by borrowing in anticipation of future collections. It has been customary to borrow about 75 per cent of the net amount which the city expected to realize from the levy. Expenditures on account of appropriations which were based on the remaining 25 per cent were met out of what might be called a working capital fund made up in part of cash and in part of unanticipated taxes of the prior year.

In 1912, after the appropriation bill

had been passed and a tax levy made accordingly, the supreme court of the state handed down its decision that levies for bonded debt purposes must be included within the rate limitation. Under the method followed in 1911, the city figured on \$1.10 for corporate purposes and an additional 33 cents for interest and sinking fund. By the decision of the court, the additional item of 33 cents was cut off and the interest and sinking fund charges had to be consequently met out of the tax levy for corporate purposes. As the city had already largely borrowed in anticipation of this portion of the tax levy, over half the funds of which had been actually spent, in spite of a rigid retrenchment, it found itself confronted by a deficit of nearly \$3,000,000. Temporary relief was granted the city by the state legislature in permission to issue bonds to make good the shortage, and in May, 1913, the legislature amended the Juul law providing that thereafter no reduction of any tax levy shall diminish an amount appropriated by corporate or taxing authorities for the payment of principal or interest on bonded indebtedness, thereby removing the threatened possibility of embarrassment or impairment and restriction of the credit or progress of any municipality in the state. The city of Chicago tax rate for 1912 made prior to the amendment to the Juul law was \$1.24 on the \$100. Estimating 1912 valuations and tax levy figures as a basis, the rate pursuant to the amendment will be \$1.59, increasing the city revenue upon taxes extending from \$12,124,169 to \$14,953,157, or a gain of \$2,828,988. In addition to this gain, the city will have the benefit to be derived from the park consolidation act, which has been estimated as \$2,556,000. So that as a result of the amendment of the Juul law and the park consolidation act the revenue of Chicago will be increased over \$5,000,000.

MURRAY GROSS.

Bridgeport Board of Contract and Supply Guards City Funds.—By an ordinance of the city council passed January 15, 1912, Bridgeport, Conn., added a board of contract and supply to the executive department of the city government. With exceptions created by the city charter, this board is vested with the duty of making all contracts and purchases. During the year ending March 31, 1913, the board issued orders aggregating \$175,000. The total savings on these orders, where comparisons with previous expenditures could be made, amounted to \$20,289 (exclusive of cash discounts amounting to \$577). The total operating expense of the board was \$4519. Thus, in spite of the difficulties that confronted it in its first year, the board has demonstrated its usefulness to the taxpayer.



Police News.—*Police Education.* The greatest need of American police forces at the present day is a comprehensive and systematic scheme for the education of the police. Instances of police inefficiency due to ignorance are usually ascribed by the press and by citizens to police corruption. If a case against a prisoner fails of successful prosecution because the police officer does not present the proper evidence to the court, this failure of justice is believed to be caused by the corruption of the policeman, although it is really due to his ignorance of the law and the rules of evidence. Similarly, when the detectives are unable, because of ignorance of the details of their profession, to apprehend criminals it is ascribed to corruption and seldom to lack of knowledge. Police officers can be rendered efficient and the few corrupt officers in a police organization can be exposed only by a comprehensive system of police education. Recruits should be carefully instructed in the criminal statutes and ordinances, the rules of evidence, the treatment of prisoners, first aid to the injured, physical training, revolver shooting and riding.

The course of instruction should be from three to six months in duration and should be in charge of competent instructors, permanently assigned to this work. Superior officers of the force and policemen of experience should also be required to attend the police school for a definite period each year and should be given an opportunity to discuss with the faculty of the school difficult problems arising in the course of their official duties.

New York Manual. A new police manual has recently been issued to the members of the force by Commissioner Rhinelander Waldo of New York. It is printed on separate sheets bound in a leather loose-leaf binder, thus permitting the substitution of a new page whenever a rule is amended. The arrangement of the rules is alphabetical and each rule is numbered consecutively from the first to the last. In the editing of the manual the problem of making the information quickly available was kept constantly in mind. Many of the rules have been prepared in topical outline form rather than in narrative form. The book also has an excellent index. It contains only the rules of the department and does not contain any extraneous material so frequently found in books of this kind. From every point of view it is the best police manual that has come to the attention of the editor of these notes.

Philadelphia Manual. The new police manual recently issued by director Porter to the police force of Philadelphia contains in addition to the rules and regulations of the department much valuable information for the instruction of the policemen in the performance of their duties. It combines the function of a course of study for a school for recruits with a manual of rules and regulations. The police officer who has mastered the information contained in this manual regarding the rules of the department, the principles of criminal law and of evidence, the municipal ordi-

nances, first aid to the injured and the proper police action to be taken in each of more than two hundred specified cases has nearly all of the information which an efficient police school could give him. The manual has blank pages for notes and amendments. If we accept as correct the opinion that a police manual should contain in addition to the rules and regulations of the department, a compilation of the statutes and the ordinances and information assisting the policeman in performing his official duties, this Philadelphia manual is an excellent addition to American official police literature.

Policewomen. Women have been employed as members of American police forces for many years and have performed extremely efficient service as matrons (female turnkeys) and as detectives. Several police departments have recently appointed women for the performance of patrol service, with special instructions to confine their activities principally to the protection of women and children. This experiment has not been tried for a sufficiently long period of time to enable competent observers to determine whether such patrolwomen add to the efficiency of the police department.

LEONHARD FELIX FULD.



Marshall Field's Private Subway in Chicago.—The periodical cries of special privilege grants and of encroachments upon the rights of the people by big business concerns have been heard in Chicago for several months. The occasion this time is the request of the Marshall Field estate for the right to build a private subway under Washington Street, to connect its present skyscraper store with a projected one to be erected at a cost of six or seven million dollars on the southwest corner of Wabash Avenue and Washington Street. The ordinance introduced in the city council to grant this privilege provided that the substreet

connection should be approximately 48 feet long and 200 feet wide, to the depth of 15 feet. The grant was to be for twenty years and was to be revocable without the consent of the grantee by the mayor and city council.

When this ordinance was introduced on July 8, 1912, opinion at once became sharply divided. Those in opposition to the ordinance recalled that since the death of the late Marshall Field, in less than two years, the Field estate has secured nearly twelve million dollars worth of real estate in the congested "Loop" district of the city. They held that such concentration of the valuable property of the business section was a menace to the healthy growth of Chicago, and that the city should take cognizance of this fact by preventing any further concentration by special privilege. The men in favor of the ordinance insisted that a firm of the commercial and advertising importance of Marshall Field's should be encouraged in its development. On the wider question of the future building policy of the city, there was also a division.

The committee on streets and alleys on July 22, reported the ordinance favorably by a vote of 9 to 3. After a great deal of lobbying by representatives of Marshall Field interests, and by various civic and commercial associations against the measure, the ordinance was defeated on the floor of the council on October 14. The supporters of the ordinance lacked but six votes of the necessary majority.

It was well understood that Marshall Field's would not abandon its object so soon, and in preparation for the defeat of the reconstructed ordinance whose introduction was expected immediately, the opposing members of the council, assisted very ably by the City Club of Chicago, the North-West Side Commercial Association, and the Greater Chicago Federation, began a strenuous agitation among the constituents of the favoring aldermen. Aside from the fear of the

encroachments of the gigantic Marshall Field estate upon the rights of the community, these associations pointed out that the congestion in the "Loop" district was already a menace to proper and healthy city growth, and that any increase in this congestion would make more improbable and more distant the expansion of Chicago's chief business enterprises away from the specially favored and specially congested area which they now occupy. They maintained that the construction of the subway would augment this congestion, although the very idea of an underground passageway, according to the attorneys for Marshall Field, was to obviate the increased congestion which the crossing of Washington Street from one store to the other would entail. The ordinance was so worded, according to its enemies, that not only a private subway, which might eventually be incorporated into a municipally owned system of subways, but also additional sub-basement floor area might be added to the enormous store space already held by the firm. This would necessitate the employment of many more persons in unhealthful conditions below the level of the ground, and endanger patrons and employees in case of a large fire originating in the basement or lower portion of the store building. In reply to the claim that the ordinance make the grant revocable at any time, the adversaries of the measure declared that with Marshall Field's resources for legal warfare, it would take the city years to recover the passageway if it were once given away. As a precedent in city administration it was stated that the passage of the ordinance would be regretted, as after the first grant every large business in the congested district would demand the right to extend its store space under the streets. The remuneration promised the city, some \$3,200 per year, although ridiculously low, was not discussed much by either side, as it was felt that the important matter was the granting of the special privilege itself,

and not the pecuniary benefit which might accrue to the city.

After a newspaper attack on the integrity of Alderman Utpatel, the leader of the council opposition to the ordinance, and his demand for a committee to examine the charges against him, made, as he declared, to discredit his work against Marshall Field's "grab," the remodelled ordinance was introduced and reported favorably by committee on November 4. The compensation was increased to \$5000 annually, and the average width of the Washington Street passageway reduced from 200 feet to 80 feet. The measure has not yet appeared on the floor of the council in its amended form. Alderman Utpatel and the three associations are making every effort to defeat its passage when it does come up. Alderman Utpatel has been exonerated of the charges of bribery brought against him, by the council committee appointed for investigation. It is to be hoped that the subway concession will not be granted, for it is certain to place the Marshall Field Estate in a commanding place in the congested "Loop," and in an extremely advantageous position should the proposed municipal subway be constructed through Washington Street, as is projected.¹

J. R. EVERETT.²

¹ Since the writing of this report the amended measure has come before the city council and been passed by a vote of 42 to 24. The ordinance was passed in spite of increased opposition on the part of the various civic organizations, the Municipal Voters' league, and the city sewer engineer who declared that the subway, when built, would be likely to interfere with the future remodeling of the sewer system. The far reaching questions of policy raised by the measure have been unanswered by the city council, which has been content to pass on the specific instance without defining its policy in regard to other such applications. If the council pursues a thoroughly impartial course, there is little doubt but that within a short time, all the downtown streets will be appropriated to similar purposes. The action of the council members in yielding to the pressure of the lobbyists for Marshall Field has aroused much criticism and dissatisfaction with the city administration.

² Student in the School of Journalism, Columbia University.

New Standards for the Buying of Street Lights.—A street testing photometric laboratory—an achievement of nation-wide and indeed of international significance to every city buying light—has recently been attained in Philadelphia as a result of the supervision and activities of Dr. Hollis Godfrey. In his efforts, Dr. Godfrey has had the hearty support of Director Morris L. Cooke and Mayor Blankenburg. This achievement has been the proving of the correctness of street measurements of city light through the design and construction of a movable photometric laboratory for street inspection of public lights. Street tests and laboratory tests are the only two means that we have of measuring light, and adequate and reliable means of testing the accuracy of street photometric measurement have never before been made possible.

It is impossible to bring mantle lights to the laboratory without so injuring the mantle as to make therein tests wholly unjust to the lighting corporation. Dr. Godfrey attempted to bring gasoline lights to the photometric laboratory under continuous supervision of high class engineers, but found that it was impossible to get them to the laboratory without the injury above indicated. Since mantle lamps cannot be brought to the laboratory, it remained to bring the laboratory to the lamps. To overcome this difficulty, he devised, with the coöperation of some of the best engineers of the United States, a photometric laboratory, called for convenience sake "the floating laboratory," mounted on a 1500 pound motor truck, with a cover specially designed and with equipment intended to be of a precision as high as that in any stationary lighting laboratory in the country.

For the purpose of determining the accuracy of street measurements six

hundred comparative tests have been made in this laboratory with a portable photometer by nine leading illuminating engineers with seven experts, including some of the best readers in the United States, reading against each other and the comparison of all these tests shows variations of but 0.3 of a candle between the series records of the street and the laboratory tests.

Street tests for lighting as the basis of the purchase of city light, are now a practical possibility. As a result of these tests, Philadelphia has been saved \$55,221.91 in the first six months of the year 1913, January to June, inclusive. This is in the form of reductions in the bills of the Welsbach Street Lighting Company of America, deductions made for not keeping the lights up to standard specifications.

Dr. Godfrey, a consulting municipal and industrial engineer with headquarters at West Medford, Massachusetts, was appointed to his present position some ten months ago by the director. Mayor Blankenburg has recently lent him to Atlantic City for the purpose of making a comprehensive lighting plan for that city. He is also acting as consulting engineer for the lighting restoration of Independence square.

Efficiency and economy in the lighting of Philadelphia are also being furthered by a recent step taken by Director Cooke in organizing a lighting board of supervisors, composed of the chiefs of the three bureaus of gas, lighting and electricity. The former conditions where these three bureaus were independent and were duplicating each other's functions produced complexities and difficulties most wasteful to the taxpayer. Through the new board the city will be able to take new steps towards a coördinated, unified lighting policy.

III. CITY PLANNING AND IMPROVEMENT

A Pittsburgh Anti-Billboard Campaign.¹—A report of the billboard campaign conducted by the Civic Club of Allegheny County during the 1913 session of the Pennsylvania legislature would not be complete without brief mention of the preparation made beforehand. The billboard committee was entirely reorganized, the system formerly in force of representation of civic organizations upon it was discontinued and the members were chosen only from members of the club and individuals interested in the work. The same policy was continued by which for several years past the Civic Club, through its billboard committee, has been making an effort to stimulate a healthy public sentiment relative to the danger of longer permitting billboard advertising to continue without public supervision.

It was found that public sentiment, however, could do little until adequate legislation was secured, and it was recognized that the first necessity would be to obtain from the legislature power for the municipalities to act in this matter.

In line with the proposed activities, sub-committees were appointed on owners and advertisers, legislation, publicity, finance. During the time the legislative committee was drafting two bills, the publicity committee was distributing folders, pamphlets, blotters, etc., at all public meetings where permission could be obtained. The committee had a stand for one week at the East Liberty Exposition, where quantities of such material were put out broadcast. This was repeated during the legislative session in April when the committee had a stand for a couple of weeks at the Automobile Exhibit in Motor Square Garden. Five of the members of the Camera Club of Pittsburgh donated twenty-five beautiful views of Pittsburgh to be hung in contrast with the photographs of the views marred and rendered

unattractive by billboards. Several thousand flyers containing an explanation of the bills and the list of representatives were distributed with the request to recipients to write to the members of the general assembly.

The two bills introduced were prepared in collaboration with the city solicitor. One extended the police power of the municipalities respecting billboards, signs, and other outdoor advertising and concerned the regulation and suppression of the same, known as H. R. 1100. The other provided for including in the taxable value of lands upon which are maintained billboards, signs or other advertising devices, the increased value of such lands resulting from the use of such premises for advertising purposes. This was No. 1101. Both bills were introduced on February 27 by Dr. Joseph G. Steedle of McKees Rocks. No. 1100 was referred to the committee on municipal corporations and No. 1101 to the judiciary special committee. The latter was negatived in committee before a hearing could be arranged, but was reconsidered. An effort to get them both in one committee failed but a hearing of the joint committees was agreed to and held on March 26. Two members of the club, one of the Pittsburgh city solicitors, and Andrew Wright Crawford of Philadelphia spoke in favor of the measures and three representatives of the billboard interests and bill posters union, one from Scranton and two from Pittsburgh, spoke against them.

On April 2, the two bills were reported out of committee. It seemed necessary then to send someone to Harrisburg to watch the bills, as they were not sent to the house immediately after being reported out of committee. A competent and energetic member of the club represented the committee and won many friends for the bills.

On April 17, the two bills passed second reading. They came up for third reading just a few moments before eleven o'clock

¹ Conducted by the Civic Club of Allegheny County in the Pennsylvania legislature of 1913.

on Tuesday, April 22, when many who had been pledged to vote for them had left the house. Dr. Steedle, who had been found to be somewhat lukewarm in his interest, did little to further their passage and allowed final action to be taken, with the result that No. 1100 was defeated by a vote of 48 to 57. Of the latter number 21 negative votes were from Philadelphia, while only one member from Allegheny County voted against it. No. 1101 was put on the postponed calendar. An effort was made the following Monday night, April 28, for a reconsideration of bill No. 1100 for amendment to cover only cities of the second class. One of the representatives from Philadelphia who had charge of the opposition from that city agreed to support, and have his delegation support, the bill if so amended; but later he changed his mind. The representative of Erie County, who admitted he was acting as attorney for billboard owners and their lobby, decided to make no concession. The active representatives of the Pittsburgh Bill Posting Company were able to keep their entire state organization in line to prevent an entering wedge of restrictive legislation by way of second class cities. If the bill had been called up as arranged on Monday evening when the Philadelphia members had agreed to "go along" on it if amended, there was an even chance it would have gone through, but the members who had agreed to call for a reconsideration failed to do so and no attempt made during the next few days could inspire them to such action. The number of pledges were reduced each day until hardly a corporal's guard could have been mustered. The lobby of the billboard interests was too strong and their arguments against the bills too persuasive to be ignored by the majority of this conglomerate body of law makers, and the interests were relieved when the Civic Club bills were out of the way, for the only other one touching billboards, introduced by a Philadelphia member, was easily disposed of.

It had been decided in case No. 1100

failed of reconsideration in the house to introduce a new measure through the senate affecting only cities of the second class, but this was abandoned upon advice "that even if such bills were passed in the senate the continued efforts would only be of educational value as the opposition was too strongly entrenched in the house."

During these weeks there was a very active publicity campaign being carried on from the Civic Club headquarters. Between 2500 and 3000 letters were sent throughout the state urging support for bills Nos. 1100 and 1101. In addition to the leaflets, etc., distributed at meetings, there were talks before clubs, etc., but with it all there was very little help from the newspapers. Conversation with many members of the legislature and the later activity of the billboard owners' lobby testified to the effectiveness of the state-wide campaign of education that had been waged by the Civic Club. Hundreds of letters poured into the legislators from all over the state so that they already had knowledge of the bills before it came time to vote upon them.

The chief weakness of the club's effort was found in the fact that it was making the only personal effort in behalf of the bills. While the importance of the letters is not to be minimized, the pressure of correspondence from constituents could not compare with the influence brought to bear by the representatives of billboard owners in half a dozen cities of the state. The situation the Civic Club faced was one of a strongly entrenched and well-organized state-wide vested interest being attacked on the ground of the public good with the only real activity in the attack localized in Pittsburgh.

The generous and hearty response of interested individuals throughout the state has encouraged the committee sufficiently, even in the face of defeat, to enlarge the scope of the work to cover the state. It hopes by degrees to secure the support of each county and to push ahead in a renewed effort to eclipse what has been up-to-date the biggest anti-

billboard campaign attempted in the state of Pennsylvania.

H. MARIE DERMITT.¹

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Property Restrictions.—The first principle in restricting property is that the contract of restriction, for such a restriction is a contract as to the use of land, be entered into by all the parties interested in the property, as owners, mortgagees, incumbents, or otherwise. The second principle is that the restriction be clear and definite as to the nature and character of the things prohibited and as to the burdens imposed. The third principle is that the restriction be clear and definite as to the extent of the territory affected.

The second and third principles are more commonly violated than the first. Violation of the second principle is usually merely a question of the use of language. As to the third principle, however, it appears to be almost the universal practice to leave the location and area of the property to be implied from collateral circumstances. The more clearly these last two principles are observed, the fewer the questions left for judicial interpretation.

It is perfectly possible to impose any restriction which is not against public policy or morals in such a manner as to be enforceable by any owner of property affected.

In the case of the Sage Foundation Homes Company, New York, the restrictions were imposed upon a tract of land free from the lien of mortgages and unincumbered in any manner whatsoever. The character of the restrictions and the location of the property affected were clearly and definitely set forth in a recorded declaration. While it is true that this declaration had no effect so long as the Sage Foundation Homes Company was the exclusive owner of the

property, when one lot was conveyed subject to and with the benefit of the restrictions as set forth in the declaration, the restrictions were thereupon immediately put in force as to all of the property.

JOHN NOLEN.

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A Summer School of Town Planning.—The University of London has set an example which some American institutions of learning may well emulate. It established this year a summer session on town planning at Hampstead Garden Suburb for the purpose of enabling municipal officers, surveyors, engineers, and others interested in the subject in its theoretical and practical aspects to take a short course. The curriculum embraced lectures by eminent authorities on the engineering, legal, financial, and social aspects of city planning, excursions and visits to model estates, villages, and similar experiments, and exhibitions of maps, drawings, and plans. A university certificate of attendance was awarded to members of the school, and special arrangements were made for the accommodation of those in attendance.

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Dallas Improves University Grounds.—The people of Dallas, Tex., have a new place of interest and beauty as a result of the improvement of the grounds of Dallas University as planned by George E. Kessler of St. Louis. While the university stands in the center of a thirty acre tract of land, which has a natural elevation of 100 feet above the city, and which abounds in shady groves, picturesque ravines and rugged cliffs, the addition of driveways, walks, terraces, sunken gardens and fountains has contributed greatly to a "university beautiful" which will be a credit to the city.

¹ Secretary of the Civic Club.

IV. POLITICS

The Progressive Municipal Platform.

—The national committee of the Progressive party has published a pamphlet on "The Making of a Municipal Platform" (with special reference to New York), by M. L. Ransom, with a foreword by Colonel Roosevelt. The essence of the document is as follows: A mere fusion of reformers and others for the purpose of "ousting grafters" is futile and destined to disruption and impotency; a progressive municipal platform should be confined to purely city issues and not inject national politics into local contests; municipal elections should be held in the spring and divorced from other elections; in New York City, the board of estimate and apportionment should be given full control over the budget subject to the recall; the referendum should be set up for important franchises and public utility contracts; perpetual franchises should be fought at all costs; all utilities should be under public control, and under public ownership and operation, "if need be;" municipal ice plants, terminal markets, and school lunches should be established; and problems of housing, city planning, and taxation should receive careful attention. Mr. Ransom advised against the nomination of a partisan ticket by the Progressives, in favor of the nomination of a ticket of men ready to carry out a program of "enlightened liberalism."

Mr. Roosevelt's concise statement of his philosophy of municipal government is so significant that it deserves quotation almost in its entirety:

Unlike both the old parties, the Progressive party has a platform which in very important respects applies in local precisely as in state and national affairs. This may mean that in certain cities the local Progressive organization offers by far the best instrument for obtaining in municipal matters social and industrial justice through clear and efficient governmental action. But in many of our cities, including all our biggest cities, the conditions are so utterly different

that our first effort must be to keep the local and national issues distinct.

In these larger cities, the problems of administration and policy are sometimes more formidable and difficult than those confronting many states; but the conditions of economic injustice, the opportunities for constructive governmental activity, and the consequences of retrogressive administration, all come a little more closely home to the citizen, than similar phases of state and national government sometimes do. It is not so much that the problems, the conditions, or the needs, are so much different, in municipal as compared with state and national administration, but that they are more obvious and undeniable. Thus it comes about that in these cities there are many good citizens who thus far—mistakenly, as we believe—oppose us on national and state-wide application of our fundamental principles and purposes but are willing to join with us in giving local application to essentially the same humanitarian conceptions of government. They disagree with us, for instance, on the tariff, or on the power of the national government to deal with child labor and problems of the minimum wage, but agree with us that the powers of the municipal government should be actively employed to secure not merely honesty, economy and efficiency in administration, stability in public credit, and enforcement of the law, but also better housing and living conditions for wage-workers, more adequate means of effective, continuous control over franchise-holding public utilities, a more comprehensive system of public parks and play-grounds, a coördinated and cheapened system of transportation to make the suburban districts a unified part of the greater city, the socialization of the facilities for the public enjoyment of music, art, science, athletic diversions, and the like, a readjustment of taxation so as to make its burdens more equitably distributed and the exercise of the taxing power of the state a factor for economic justice. These citizens are in doubt as to the desirability, for instance, of the introduction of the recall, the referendum, or the initiative, into state-wide or nationwide matters, yet are quite willing to establish the rule of the people in municipal affairs, through the introduction of suitable forms of these expedients. They doubt whether minimum wage legislation, in the form which it has taken in some of the nations of the world, is con-

sonant with our economic and political theories, or they doubt whether our conditions yet call for the enactment of such legislation in the state of New York; yet they readily acquiesce in our view that every large city should begin at once to do its part and make its contribution toward solving the problem of the minimum wage, through the establishment of suitable educational facilities for vocational and "continuation" training, along lines which will give every boy and girl a chance for a schooling of practical value, thereby obviating the possibility that he or she will ever be a problem for the student of the minimum wage. Many citizens who are not yet progressives, with either a large or a small P, in national affairs, are liberals of demonstrated tendencies in municipal matters. It is surely desirable that all citizens who agree on these fundamental matters of municipal policy, and who desire to work for substantially the same ends in municipal affairs, should come together and act together in the war against both the forces of reaction and privilege and the forces of sheer corruption and lawlessness.

This has nothing whatever to do with party amalgamation, and to be successful it must have nothing whatever to do with that kind of fusion which consists merely in dickering for division of offices among various political organizations. It must represent the joint action of decent citizens, irrespective of their several attitudes on national politics, on behalf of a platform plainly expressing the fundamental needs of the local situation, and on behalf of candidates whose characters and expressed convictions are such that the sincerity of their acceptance of the platform is evident.

The Virginia Fee System.—The *Norfolk, Va., Gazette* has been engaged in a warfare on the fee system of paying municipal employees in that state. Among the "horrible examples," it cites clerks of city courts who receive in fees salaries higher than those enjoyed by cabinet officers of the United States, and police justices who have incomes almost as large as those received by associate justices of the Supreme Court of the United States. To this system, the *Gazette* attributes much of the corruption and machine politics in Virginia cities, and as a remedy it demands the substitution of salaries for fees.

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The California "Outlook" for June 21, gives the following report on the vote of the women in the recent municipal election:

The total registration in Los Angeles, qualified for the municipal election, was 171,025. The number of men registered was 97,816, or 56.9 per cent of the total. The registration of women footed up 73,839, or 43.1 per cent of the total.

The total vote was 89,831—only 52.5 per cent of the registration.

The vote by men was 52,731.

The vote by women was 37,100.

The percentage of registered men voting was 54.2.

The percentage of registered women voting was 50.2.

The percentage of the total vote cast by men was 58.7.

The percentage of the total vote cast by women was 41.3.

V. CONFERENCES AND ASSOCIATIONS

British Association Meetings.—At the Newcastle-upon-Tyne meeting, May 2 and 3, of the municipal and county engineers, papers were presented by various officials of the city explaining the several engineering activities of the corporation of Newcastle, such as town-planning, highway construction, street cleaning and refuse disposal, tramways, quays and other municipal undertakings.

One hundred and sixty municipali-

ties were represented at the annual meeting of the Association of Municipal Corporations held in London, May 28. The association adopted a resolution by unanimous vote protesting against the delay on the part of Parliament in providing a just and adequate contribution by the imperial exchequer towards the cost of various national services which are administered by the local authorities.

An immediate interim payment of at

least 2,500,000 pounds as recommended by the royal commission on local taxation was demanded for the above purpose. The association also unanimously adopted a resolution to accept the invitation from the Union of Canadian Municipalities to join in establishing an International Municipal League.

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The 13th Annual Convention of the Union of Canadian Municipalities was held July 15, 16 and 17, in Saskatoon, and was a great success in the number and standing of the delegates, mayors, aldermen and city engineers from the extreme east and west being in attendance. Saskatoon is practically the center of the central western provinces of Canada, and its rapid progress and brilliant up-to-date streets and edifices excite expressions of wonder.

The annual convention of the union has frequently been called "The Canadian Municipal Parliament," and rightly so, as the delegates represent all the representative municipal bodies in the Dominion as well as the direct taxpayer.

Many of the delegates from the east assembled in Montreal, and on the way west stopped off, as a body, and paid official visits and exchanged greetings at the cities of Port Arthur, Fort William, Winnipeg and Regina. After the convention in Saskatoon the same party, with some additions, visited the cities of Edmonton and Calgary, and were impressed with the virility, activity and methods of the western brethren. Their careful expenditure of improvement loans, their solid and vast future, and their determined retention and operation of all their municipal franchises, produced a favorable conclusion as to their financial status—contrary to certain irresponsible recent critics.

The convention program was lengthy, perhaps the most important address was from ex-Mayor W. Sanford Evans, of Winnipeg, on "Debenture Issues of Municipalities," dealing with the troubles

municipalities are having in floating their bonds, and suggesting that the provincial (state) legislatures appoint each a permanent board to investigate any financial requirement, and if sane and sound to give it the stamp of state approval.

"The Increasing Complexity of Municipal Government," by Mayor Hocken, of Toronto, brought out in a vivid manner the changes taking place in city government. "City Development," by Mayor Short, of Edmonton—where they do things with the "single" or land tax always in view—revealed some of the problems of city expansion. C. J. Yorath, city commissioner of Saskatoon, gave a well-considered paper on town planning, from the housing, business and industrial points of view. "An Inter-Provincial Highway Across Canada," from east to west, and "Highways in Relation to City and Rural Municipalities," emphasized the great importance, and necessity of good country roads. "The Treatment of Garbage," and "The Disposal of Sewage," treated two pressing questions before the prairie cities, and the expert information presented will help to solve these problems.

The foregoing are but a few of the many municipal matters brought forward, but will give an idea of the earnestness of the work of the union. The keynote of the convention was the necessity of expert knowledge in civic government.

G. S. WILSON.¹

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The Eighth Annual Conference on Weights and Measures was held at the Bureau of Standards, Washington, D. C., May 14 to 17. The delegates comprise state and city weights and measures officials and sealers from all part of the country. The significance of this meeting is the active coöperation of the government in bringing together the

¹ Assistant secretary, U. C. M.

officials of states and municipalities for the purpose of establishing uniform laws and regulations, and of administering these laws for the protection of the public.

An excellent program was carried out, dealing with the technical, administrative and legal phases of the work of a sealer of weights and measures; and much interest was displayed not only by the officials who have attended the conferences on previous occasions, but also by men who were present for the first time and who were not in any way connected with weights and measures work, but who were sent by states and cities for the purpose of obtaining information with a view to establishing a weights and measures inspection system or of increasing the efficiency of one already in existence.

Three different plans of model laws were presented to meet the conditions found in the various states. The first law provides for a state superintendent of weights and measures with assistants coöperating with county and city sealers; the second provides for a state official with assistants and local sealers for the larger cities, but where the thinly settled portions are taken care of by a state department; and the third requires the state department to assume entire jurisdiction, and the state deputies cover both the cities and outlying districts, the administration being under the direction of a state superintendent of weights and measures.

In regard to the great progress made in weights and measures inspection work, it might be stated that when these conferences were inaugurated in 1905, only two states had active weights and measures departments, while now more than twenty states have such departments. This great awakening in regard to weights and measures matters is not local in character; activity is found in every section of the country, and in large, as well as small, cities and towns. During 1911 and 1912 thirty states passed

legislation of some sort directly referring to the subject of weights and measures. The statutes in fourteen of these were general in their nature and authorized or required state-wide local inspection service under the general supervision of a state department of weights and measures; state-wide inspection service under officers of the state without any local inspection service; or local inspection without any supervision by the state. The activity of the legislatures of the states during the present year has, if anything, been more marked than in either of the two previous years mentioned.

F. A. WOLFF.¹



The League of American Municipalities.—The annual conference of this League was held in August, at Winnipeg, Canada. Papers were presented by C. J. Driscoll, of the New York Bureau of municipal research; W. A. Lar-kin, street cleaning commissioner of Baltimore; Ossian Lang, president of the board of aldermen, of Mt. Vernon, New York; W. S. Evans, former mayor of Winnipeg; Charles L. Willert, councilman of Buffalo, and J. B. Martin, election commissioner, of Boston, Mass.



The Fourth Annual Conference of Mayors and Other City Officials of New York, met at Binghamton on June 5, 6 and 7, 1913. A valuable and in many respects unique program of activities for the betterment of the municipalities of the state was adopted. It was the consensus of opinion of the 300 officials present that the conference was the most instructive and successful ever held by the organization.

Since the municipal empowering act became a law in May, there has been much confusion as to the scope and power of the measure. Attorney-General

¹ Of the Bureau of Standards, Washington.

Thomas Carmody, at first gave it as his opinion that the new law conferred a broad grant of power on the cities, under which they could do about anything they pleased. Governor Sulzer accepted this interpretation and vetoed many bills on the ground that the so-called "home rule" law granted the powers which the special legislation sought to confer. Several cities proceeded to change their forms of government, although the Mayors' Conference and the Municipal Government Association, for which organizations the bill was drafted, contended that the law did not permit cities to change their forms of government, nor did it change the form of any municipal government. At the first session of the conference the Attorney-General and Laurence A. Tanzer, who drafted the bill, participated in the discussion and the former reversed his first decision and accepted the interpretation of Mr. Tanzer and the conference.

The legislative program adopted by the conference calls upon Governor Sulzer to ask the legislature at its special session to consider favorably the passage of an optional city charter bill and the constitutional amendment. With these two measures on the statute books and the empowering act already a law, the cities of New York State will have genuine home rule. An attempt was made to include in the legislative program a declaration in favor of legalizing baseball on Sunday. Strong opposition developed and Secretary Capes was instructed to take a referendum of the mayors of the state on the subject. The conference protested against giving poor law officials authority over admitting patients to public hospitals and passed resolutions commending the governor and the legislature for enacting the health bills, calling upon counties to build tuberculosis hospitals and cities to employ visiting nurses and to establish dispensaries. The conference strongly favored the constitutional amendment authorizing "excess condemnation" and urged the people of the state to ratify

the action of the legislature at the election next fall.

The city planning expert advisory committee was authorized to make a survey of the state to determine what has been done and what needs to be done in municipalities in the way of city planning. It was also authorized to arrange early next year a state city planning conference. At the symposium on municipal needs the fact was established that the chief problem in many of the cities of the state is unequal assessments and poor taxation methods. The conference authorized a survey of assessment methods in the various cities and appointed a committee to do the work and to report at the next conference.

A state-wide municipal welfare movement, proposed by Secretary Capes, was approved by the conference and a committee was appointed to organize a welfare program in every city in the state.

The conference resolved to establish a state bureau of municipal information, which will be operated by the cities through the conference and in cooperation with the State Library. It will be established at Albany and will be supervised by a council of five mayors and directed by a small paid staff.

During the three days of the conference the officials listened to and discussed addresses made by experts on nine important municipal problems.

Mayor John J. Irving of Binghamton was reelected president; Mayor James T. Lennon of Yonkers, vice-president; Mayor Frank J. Baker, of Utica, treasurer; William P. Capes, New York, secretary, and E. A. Moore, New York, assistant secretary. The next conference will be held at Auburn.

W. P. CAPES.



The California League of Municipalities.—The fourth annual exposition, in connection with the sixteenth annual convention of the League will be held in Venice, October 5 to 12, inclusive. At

the same time and in the same place, the city and county health officers will hold their fifth annual conference with the officers of the state board of health. In this connection the second annual pure food and hygienic exposition will be held at the same time, under the auspices of the California state board of health and under the personal supervision of Prof. M. E. Jaffa, director of the state food and drug laboratory.



A Municipal League in Oregon.—A league composed of officers and former officers of cities in Oregon is in process of formation. The headquarters of the league will be at Eugene and the university will act as a bureau of municipal research for the benefit of the members of the organization. Prof. F. G. Young, of the department of economics, is taking a leading part in launching the society.



The Indiana Municipal League held its twenty-third annual convention at Gary, Ind., July 8 to 10. One hundred and ninety-seven delegates attended the sessions and thirty-two cities out of a membership of fifty were represented. The convention devoted its discussion to a consideration of the benefits to be derived from public utilities commissions, the problems of engineering in a city, sewage disposal and sanitation. A resolution was passed recommending that the state legislature pass an act enabling municipalities to increase their indebtedness from 2 to 8 per cent of property valuation. Columbus was selected as the meeting place for 1914. A. C. Cunningham, Esq., city attorney of Lafayette, was reelected president, and Dr. D. A. Davison, mayor of Princeton, was elected secretary.



The Baltimore Plan of Organization for Civic Work.—Organization to bring

about civic improvement in towns and villages is comparatively simple. There it is possible for the central committee to plan out the unit of work and divide it among the workers. Given enthusiasm and intelligence, good results will follow. But when the territory to be affected covers from twenty-five to fifty square miles and the population to be interested and converted runs into the hundreds of thousands, the task becomes complicated and a system of pulleys to direct and control the power is necessary. The organization plan which the Women's Civic League of Baltimore has tried is simply such a system of pulleys.

The first makeshift that presents itself to most municipal organizations is that of dividing the city into geographical units in an effort to duplicate the situation in towns. Districting an organization into twenty or thirty sections, however, tends to make the central body a kind of federation, and however much different parts of the city may present local variations, they all share certain city-wide conditions which should be met by a united, consistent policy.

The Baltimore league has made use of the geographical ward divisions of the city to subdivide its work, but it has made provision for bringing the local districts into direct contact with the central committees at fully half a dozen points.

The general working policies of the league are decided upon by the executive committee. The active work is carried on by chairmen appointed by this committee to take charge of each subject in which the league is interested. At present there are five of these subjects: Home gardens, smoke abatement, refuse disposal, milk and education. Their chairmen are members of the executive committee which holds weekly meetings, which also appoints the twenty-four local district chairmen and meets with them once a month, when each chairman gives a report and is brought into contact with the central control and also

hears the experience of the chairmen in other parts of the city.

These district chairmen also find local chairmen in their wards for the different subjects and the local subject chairmen meet about once a month with the rather small central subject committee which is planning the work in each line.

Throughout the year meetings are held in the districts, quite often attended by fifty to a hundred women, and at each of these meetings there are reports from headquarters, from the district chairman and from all the special chairmen, keeping the local members informed and providing a channel for their suggestions to affect the work being carried on. This plan not only makes it easy for the district members to keep informed on all subjects, but it minimizes the number of meetings which the chairmen must attend—in short, it unifies the plans and divides the work.

Last autumn (1912) district chairmen were appointed in the 11th, 12th, 14th (inc. part of the 13th), 15th and 16th wards. Quite lately chairmen have been appointed in the 1st, 6th and 20th wards. The table given below will show what the organization has meant to the membership, and as members are the stock in trade of civic leagues, a certain degree of success may be argued from the increase of members. Needless to say, the league now expects to carry its organization plan into every district of the city.

The plan is not meant to be devoted exclusively to meetings and reports. At any time when concerted action on a special subject becomes necessary, or when a city-wide canvass of a situation is needed, twenty-four telephone calls or postals should bring immediate results from every part of the city. The same machine serves every subject chairman and will continue to do so as the subjects increase.

Some of the district chairmen have elaborately organized their districts; others simply hold central district meet-

ings. Methods within the district are left to the discretion of the district chairmen.

This machinery, of course, only provides methods for securing public coöperation.

DISTRICTS	MEMBERS	
	1912	1913
1	2	8
2	2 & 1 G	2 & 1 G
3	0	1
4	6	10
5	0	1
6	3	9
7	0	4
8	1	3
9	4	7
10	1	1
11	298	430
12	63	147
13	29	81
14	73	168
15	41	69
16	21	32
17	1	2
18	6 & 1 G	6 & 1 G
19	5	7
20	1 G	5 & 2 G
21	3	3
22	3 & 1 G	3 & 1 G
23	0	0
24	0	2
Unclassified..		5
Suburbs.....	561 & 4 G	1,006 & 6 G
Groups.....	45	85
	167	385
	773	1,476

eration and better-informed and more conscientious citizens. The constructive policies of the league depend upon thorough investigations of subject matters and wise negotiations with the city officials. As civic improvement, however, reduced to its lowest term, comes back to the individual citizens, the Baltimore league believes that the organization plan is an essential part of its work.

HARLEAN JAMES.¹

*

The Fifth Avenue Association of New York.—All civic organizations charged with the protection of particular locali-

¹ Executive Secretary, Women's Civic League of Baltimore.

ties or districts must necessarily be more or less alike in their make-up and in their work. There are nevertheless some important differences between the Fifth Avenue Association and other bodies of its general class. As there is one only Fifth Avenue and as it is in a very real sense a national institution, the association has been able to draw to itself perhaps the most representative membership of any organization of its kind in the world.

The association was the outcome of a spontaneous movement among the number of merchants who suddenly realized that one of the world's greatest shopping centers was springing up about them and that they ought to combine for their common advantage. But it has long since become very much more than an organization committed solely to the interests of its special locality. Its active workers include not only most of the leading property owners, business men and residents of the avenue and of the best retail section of Manhattan, but men and women in nearly every station in life, many of whom neither have any property nor trade interests in the thoroughfare nor ever expect to have.

To the latter class and to the public at large, the association stands not alone for the preservation and betterment of America's foremost street but it represents certain definite tendencies towards bettering not only New York, but all cities in the future. Because it does stand for these things, because the public understands that the fight for Fifth Avenue is in reality a fight for New York itself, the association scarcely ever appeals in vain to public sentiment when seeking to bring about a needed reform or betterment.

In one sense of the word the association is a neighborhood organization. But there is nowhere else in the world a civic organization of this kind covering

so widespread a section as the long stretch of Manhattan Island lying between Washington Square and the far northern confines of Central Park. The very size of the district, the manifold complex problems continually presented in a street of Fifth Avenue's length in the heart of cosmopolitan Manhattan suggest that the association is in a class entirely by itself.

The association is elastic in its methods of work, has no hard and fast rules of action, rides no one's hobbies for him but is always willing to lend a ready ear to anyone who has an idea for a Fifth Avenue or other civic improvement. It maintains permanent headquarters in the heart of the shopping section and acts as a clearing-house for information and data of all kinds dealing with Fifth Avenue matters.

Keeping on good terms with the responsible city officials has from the first been a cardinal part of the association's policy and a great deal that it has been able to accomplish has been due to this fact. One direct result of this policy has been the recent creation of several city commissions, which are now working out plans of great importance to the city. The association is frankly outspoken when matters do not meet with its approval but at the same time it tries not to be hypercritical.

ROBERT GRIER COOKE.¹



City Club of Hartford, Conn.—A social club with restaurant features has been organized in Hartford, Conn., under this title. It is to be regretted that a title that has come to represent connection with civic work in some one or another phase has been utilized for an organization having no connection with civic work of any kind.

¹ President of the Association.

VI. EDUCATIONAL AND ACADEMIC

The City History Club of Boston.—To assume responsibility calls for training to meet it. The chemist is trained in the laboratory, the geologist in the field, and the social worker by contact with human life. In the earlier part of the last century young men learned in the meetings of the village lyceum, which became almost a distinctive American institution, how to take part in larger public activities. Society was more homogeneous, cities were only large towns, and their government was not so much a vital problem. It is scarcely more than a generation since the country felt its first great wave of indignation at the exposure of the Tweed ring in New York. Like a kaleidoscopic change society has become cosmopolitan over night. Rural districts are depleted; cities are congested. In place of the fourteen million people living in the larger towns and cities in 1880 there are now about forty-four millions.

The new American must be trained in citizenship. His enthusiasm for his adopted country is not enough. Along with a new tongue, he must learn new customs, laws and institutions. We have a double duty, to train those who know nothing or little of American ways and also those of the earlier American stock who care little what happens until graft and incompetency threaten our civic life.

Two instances may be cited, as showing prevailing conditions among young men and voters today. In the course of the recent strike of employees of the Boston Elevated Railway about eighty young car men of various races met frequently to consider the questions involved. After the settlement of the strike some of them expressed a wish to continue the group as a literary and debating club. They did not, however, know how to organize and conduct such a club, and consequently disbanded. Several years ago when a fiercely fought contest was on in Boston over the an-

nual election a committee of three conspicuous citizens, one of whom has since been chosen as governor of Massachusetts, sent a letter of appeal to eleven hundred voters who were supposed to be deeply interested in the election of good men to office. When the election took place only one hundred and eighty of these voters appeared to cast their ballots. The ward boss, however, and the city demagogue did not lack votes. Self-interest brought their supporters to the polls in overwhelming numbers. A campaign of education was needed among those who would have voted for the right if they had come out to the voting booth. The strong appeal even of men of the highest standing failed to move them. Happily this condition is changing in Boston, through such organizations as the work of the public school associations, the good government association, the municipal league, and the finance commission.

The training given by the public schools has long followed general lines, and boys passing out of these schools need further preparation for taking up the duties of citizenship. Very many boys and young men, however, of the incoming races, have not attended our schools at all, and there is a consequently greater need for fitting them to become a part of the body politic.

Nor can settlement houses well give this preparation for American citizenship. It calls for special work, by persons who have become masters of civic questions. It is distinctly a work in civics, a study not yet well formulated even in the schools. It may best be done by means of a study of local history and government.

Therefore come the name and method of the City History Club of Boston. It began, in 1904, by applying the lessons of local history to a civic end, a more patriotic, enlightened, and efficient citizenship. Groups of boys in all parts of the city, branches of the larger central or-

ganization, were assembled in indoor meetings and taken on historic trips throughout the city and greater Boston. Solid class work was done; elaborate note books were kept; exhibitions of the work were given; mass meetings with speakers and stereopticon were held; outings and social gatherings were enjoyed.

The City History Club of Boston was the second organization of its kind in the United States. That in New York was the first. More recently organizations have been formed in Philadelphia, Savannah, and several other cities in the New England and middle states.

The work of the City History Club at the present time is carried on with groups of young men organized as junior city councils. These were added to the work six years ago and their success has been unbroken. They follow the exact organization of the Boston city council under the new charter. In each council are elected, in regular order, from the young men, a president, clerk, assistant clerk, and sergeant-at-arms; and a full list of committees is appointed, making each councilman, outside of those elected to office, the chairman of a committee. Under the oversight of the director, the members of the council introduce motions, orders, and resolutions, and take an active part in committee work, in debate upon the floor, and in all that has to do with the passing of orders and city ordinances. The results are much more marked than in a debating club under ordinary conditions. The lively interest in subjects under discussion, the freedom of debate allowed, and the incentive brought to bear upon every young man as a member of a serious, public-spirited organization, produce most satisfactory results.

The young men who are members of the councils must know all particulars of city government and be familiar with the various features of the city charter. They must at least know about city officials and public men and movements for good government and civic better-

ment. Some of the members have made very commendable studies of city affairs and departments. A feature of the council work is a committee on publication in each. This committee visits the office of each department of city government and obtains all available publications upon the working of the department. It sends also to other cities for similar published material. Thus in each council there is gathered a considerable library of material dealing with city affairs and city government, which is in constant use by the council members for individual information, and for argument in debate.

The subjects for study and debate in the junior councils are just such matters as come up in the Boston city council; for instance, improvements of various kinds in all parts of the city, the consolidation of several departments into a single department, suggested amendments to the city charter, the repeal of the poll tax law, the granting of public franchises, the establishment of a municipal lodging house, the annexation of neighboring towns or cities to the city of Boston, and questions having to do with the elevated railway.

An important and natural development of the work with the junior city councils is the City History Club congress which was organized in 1910. The membership of this congress is made up of the most ambitious and able members of the councils, past and present, and of young men who are attracted by the congress itself. Its organization and procedure follow those of the state legislature and of the national congress. The questions considered are those of larger city and state interest, or of state and national interest. This congress affords the very best training in parliamentary law, in debate, and in logical and right thinking.

The City History Club has completed nine years of continuous work in Boston. The boys with whom it first began in the various social and educational centers of the city have grown to manhood.

The club has kept pace with the needs of these young men, working solely for training in good citizenship. The young men thus trained in the club branches through these nine years have exerted a strong influence for good citizenship and good government. They have been conspicuous as leaders in the various sections of the city. Being informed on public matters, and patriotic in spirit, they have caused many of their friends and acquaintances to take a right stand in matters of local and public importance. They have assisted in the naturalization of foreign-born citizens, in the registration of voters, and in bringing them to the polls to vote. Directly and indirectly they have earnestly supported the work of organizations for good government. Their influence has had weight in city legislation, resulting in local improvements in various parts of the city.

Each year men prominent in city affairs, members of the Boston city council, and of the state legislature have spoken before the junior city councils. At such meetings the audiences have included many young men outside of the membership of the councils. Thus our earlier plan of mass meetings in each center of our work has been continued.

There have been many individual cases of marked leadership. One young man, an Italian, while not a voter, interviewed two hundred of his race before a recent election, leading them to vote for the candidate of the municipal league. This young man has since organized and is now president of an active local improvement association.

Another young junior city council member last year made a voluntary systematic investigation in four sections of the city, upon the attitude of the public as to opening playgrounds on Sunday. He has now been chosen as director of a house just opened to aid the Italian immigrant to find himself in Boston. These are not isolated cases. The City History Club is preparing many such young men to be leaders of their fellows

in the perplexing conditions of the American city.

With each year there has been a constant increase in membership in the various branches of the club, and new branches have been organized in important centers as openings occurred. The settlement houses have coöperated in providing places of meeting for many of the groups. Some of our councils are meeting in the evening centers lately opened for neighborhood work in the public school buildings of Boston. In the nine years' time work has been carried on with about one hundred branch clubs, enrolling about twenty-five hundred boys and men. In all cases meetings have been held weekly, of from one to two hours' duration each, and effective and thorough methods of work have been followed. From the beginning, even when dealing largely with matters of history, the aim has been to make the work distinctly civic.

After sharing in this movement for several years the City History Club has now assumed the conduct of the new voters' rally in Boston. Each year, in March, a great meeting of young men about to cast their first ballot is held in Faneuil Hall. Prominent men speak, and the "freeman's oath" is administered by a judge of the courts. Altogether the assumption of the ballot is marked by a most impressive and significant observance, the culmination of the year's work of the City History Club.

The City History Club is preëminently the young men's civic club of Boston. It is training the civic leaders and the legislators of the future.

FREDERICK J. ALLEN.¹



Boston City History Club Stimulating Civic Interest Among Young Men.—To develop an interest in civic affairs among

¹ Director, City History Club, and investigator of occupations, Vocation Bureau, Boston. See article on "The Vocation Bureau and the Boston School System," NATIONAL MUNICIPAL REVIEW, vol. II, p. 108.

the young men of the city, the City History Club of Boston, through the financial assistance of the Massachusetts Society of Colonial Dames of America, is offering to the members of the junior city councils, prizes of fifteen and ten dollars for essays touching upon subjects related to town and city history in Massachusetts. The first four subjects selected for the essays are: "Suffrage in Massachusetts before the Revolution;" "What a Town Could do in Massachusetts before the Revolution;" "Witchcraft in Salem Affairs;" and "The Apostle Eliot."



A Municipal Survey as University Graduate Work.—An interesting study has recently been completed by William B. Hamilton at the University of Texas in fulfilment of the requirements for a master's degree in municipal government. Mr. Hamilton undertook single-handed a social survey of the city of Austin from the sanitary side, under the guidance of Prof. Herman G. James of the school of government.

Beginning early in the fall of 1912 Mr. Hamilton made a personal inspection of all dairies, bakeries and slaughter houses of the city and examined the source of the water supply, other than that furnished by the city, as well as investigating the sewerage of the city as a whole. A partial investigation into the housing problem and the bill-board evil completed the examination portion of the study. A suggested reorganization of the health department contained in large part the conclusions which were drawn by Mr. Hamilton from his investigation.

Austin is a city of some 40,000 inhabitants which prides itself on the healthfulness of its location. The result of the study made by Mr. Hamilton was to show that while in point of climate, water supply and natural location Austin is singularly blessed, yet as regards human measures for the prevention of danger to health inevitably connected

with the aggregation of numbers of people in a city, next to nothing had been done.

Only a small proportion of the houses in the city are connected with the sewer system, which has just been transferred from private ownership to the city. Many open drains and ditches offer breeding places for mosquitoes; cess-pools are found in close proximity to surface wells and dry closets in many instances line the alleys. Trash is collected by the city but in an imperfect way, and garbage is not collected at all but left to the house occupiers to dispose of. Nevertheless much garbage is thrown by persons into the trash receivers, collected by the city wagons and thrown into open dumps frequently in well settled portions of the city.

With regard to the milk supply, every stage of handling of the milk from milking to delivery to the customer was investigated and it was found that in no case were all the modern sanitary requirements for handling milk observed. Sometimes the cows were not kept clean, sometimes the milking room was filthy and full of flies, sometimes the milk receivers were imperfectly washed and the employees themselves dirty, sometimes the milk was not cooled before starting out for delivery, sometimes it was transferred from open vessels on the route or even poured into unwashed bottles collected on the road, and sometimes all of these elements were found combined in the business of a single dairy.

The bakeries were perhaps even worse from a sanitary standpoint and not one could be said even to approximate to the standard of a sanitary bakery. From the mixing room, often at the same time the bed-room of the baker and his family, to the actual delivery at the door the bread was continually exposed to filth and microbes.

Still worse if possible were found to be the conditions in the half dozen or more slaughtering houses that furnish the butchers of the city with their meat.

The description of conditions at these slaughtering houses was enough to turn all readers into vegetarians. After the meat is delivered at the butchers sanitary conditions are not improved. Mr. Hamilton concluded his investigation with an examination of the housing conditions in the crowded Mexican and negro quarters of the town, and also pointed out briefly some aspects of the bill-board nuisance.

After pointing out these undesirable conditions Mr. Hamilton sought to discover the reasons for their existence. He found that in large part it was due to a failure to enforce laws and ordinances already in existence. This in turn he attributed for the most part to a faulty organization of the health department by which duties that would require the whole time of a number of men were imposed upon a few men, paid to give a part of their time only. Aside from this defect it was found that not sufficient powers were given to the city, and that state health laws bearing on these subjects were either inadequate or not enforced.

Perhaps the most interesting and certainly the most encouraging fact about the whole investigation was that although the avowed purpose of the undertaking was to discover and make public the unsanitary conditions allowed to prevail in the city—and as has been shown they were of a kind to make any city ashamed—yet the mayor and his colleagues and more remarkable still, the Chamber of Commerce, an organization for advertising and boosting the city, both materially aided and encouraged Mr. Hamilton in his undertaking. These persons even offered to pay the expense of publishing the investigation for distribution among the inhabitants of the city.

With such a spirit of civic pride and interest it is not too much to predict that the needed reforms will be undertaken without delay and as soon as the investigation, which at present writing is being published as a University of

Texas bulletin, is placed in the hands of the citizens of Austin there will be no opposition to voting bonds for a municipal slaughter house and an incinerating plant or to raising funds for other improvements as suggested in Mr. Hamilton's study.

Aside from still further confirming the now universally accepted proposition that the first step in civic improvement is the enlightenment of the citizens as to actual conditions, this investigation shows that university work on the part of the students as well as of professors can be directed into channels where the public is benefited in a real sense. The students in turn are given a training that will enable them to be real factors in civic improvement in whatever communities they may make their homes after leaving the university.

HERMAN G. JAMES.



Cologne Exposition.—Last year it was Düsseldorf in Germany, this year it is Cologne that has sought at one and the same time to interest and instruct her own people in municipal affairs and attract visitors. From July to November last year the former city held an exposition of her municipal institutions, which embraced plans and models of the newest inventions and appliances in regard to city administration, the enlargement, improvement and embellishment of cities, creation of parks, squares, manufacturing and workmen's quarters, public buildings, water works, baths, rapid transit, hospitals, places of amusement, cemeteries, etc. The highest point of interest was reached in September, when a congress of municipal methods was held, which to a certain extent was international in character, because it was a general exchange of opinions and a discussion of methods "by which the greatest degree of perfection in city building and management may be attained."

To educate its people as to the needs of the city and the steps to be taken to

meet the needs, prizes were offered for the best solution of this problem. For these the foremost architects and builders of the city competed, and their plans and models were displayed at the public exposition.

This year the old Hanseatic city—Cologne, which has grown from 49,276 population in 1816 to 545,000, and soon will reach 620,000, when the annexation of Mülheim is completed, has as a city a municipal exhibition, which she calls "Cologne Old and New." It appears, as the editor of the *London Municipal Journal* writes, after a visit to the exhibition, "that some of the Cologne taxpayers were inclined to grumble at the Cologne taxes (we have heard of people in England who grumble at having to pay English rates.*)" So the officers of the municipality conceived the idea of a purely municipal exhibition illustrating the work of the city by means of models, pictures, diagrams, plans and charts, and showing the citizens the value they receive in return for their money. These were somewhat on the plan of our American budget exhibits, only they were designed to show what was done with the money after it was spent, whereas, the American exhibits are designed to educate the people to demand the appropriation of adequate sums. The exhibits are housed in a building specially prepared for the purpose, and they are wonderfully interesting and are being visited every week by thousands of the Cologne taxpayers. The grumblers are silenced, and it is expected that the grateful citizens will shortly rise in a body and demand a general increase in the salaries and emoluments of the city. "We have visited," the editor says, "other exhibitions in Germany, but none quite like this one at Cologne, and it occurs to us that it will be a thousand pities if the valuable models, pictures, and charts that constitute its most attractive feature are destroyed or packed away in storehouses after the exhibition closes in October." At various cities in Germany, America, and

England, there are in existence valuable models, etc., "which illustrate the works of ancient and modern municipalities in a way that cannot be done even by books. If they were all got together there would be at hand the nucleus of one of the most interesting international exhibitions the world has ever seen."

In Ghent, Belgium, such an exhibition has been carried on throughout the summer, carrying forward the work of the town planning congresses. The scope of this Second World's Congress of International Associations was described in the April issue of the NATIONAL MUNICIPAL REVIEW.¹

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The Pittsburgh Board of Public Education on Friday, June 6, dismissed S. L. Heeter, superintendent of the schools of that city. The cause of his removal was a charge of "immorality in making improper advances and taking unwarranted liberties with women." The charges against Mr. Heeter were investigated by a citizen's committee appointed by the board. This committee included such men as A. Leo Weil, president of the Voters' League; W. H. Stevenson, president of the Chamber of Commerce; Bishop Cortland Whitehead, of the Episcopal church; the Rev. George W. Shelton, president of the Ministerial Association; Rabbi J. Leonard Levy and Valentine Barie, president of the Iron Molders' Union.

The charges against Mr. Heeter came at a time when the political enemies of the present school were demanding another change in the school system. Under the school code, passed by the state legislature two years ago, the school management, of Pittsburgh was placed in the hands of a board of fifteen members, appointed by the judges of the common pleas court. Two bills were introduced in the legislature then in session to make the board elective. While the superintendent's guilt or innocence had

¹ Page 310.

nothing to do with the question of an elective or appointive board, it was attempted to make this scandal a part of the fight against the code. Both measures in the legislature, however, failed to pass and Pittsburgh's school management will continue under the appointive board for two years more at least. During this time the present board of control should be able to complete many plans for reform that are now under way.

The present appointive board has been in charge of Pittsburgh's schools less than two years and has done much to reorganize the entire school system. For the progress already made Mr. Heeter was largely responsible and it will be difficult to find a man of equal ability as a school executive.

Pittsburgh's old school system was shot through with mismanagement and graft. So widespread were these conditions that the Voters' League two years ago exposed them. This exposition had much to do with the establishment of the present system. Under the old system many buildings were unsafe as well as unsanitary. There was an actual lack of buildings. The courses of study in the elementary schools served chiefly as a preparation for high school where classical courses predominated. Little attention had been given to manual training or to the education of the foreigner or of the defective. Few evening schools were conducted. No attempt has been made to meet the educational needs of a manufacturing center.

The new board immediately after its appointment set about to remedy these conditions. Old buildings wherever possible were put in good condition, and others closed. Twenty-nine temporary buildings were erected and a complete building program to include four district high schools and eleven elementary schools commenced.

Night schools were opened both in the high school and elementary grades. On account of the increased facilities and new schools there was a large in-

crease in school attendance during the year. In the night schools the attendance more than doubled.

A new system of grading was established, permitting half year promotions, and all students who made a satisfactory showing in their term's work were relieved from examinations. All school courses, which had lead chiefly to college preparatory work, were revised to meet the needs of an industrial community. Practical courses in commercial, vocational, industrial, household economy, arts and craft work have been added. In addition, special schools have been established for children of foreign parentage unfamiliar with the English language and rooms have been set apart for defectives and those suffering from tuberculosis. For those failing in a term's work free summer schools in all grades have been opened. Finally a high school has been opened, giving a briefer course to cover two years for those who are unable to give four years to the work.

TENSARD DEWOLF.¹

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The Training of Secretaries for Commercial Organizations is a new line of work to be taken up by Harvard University through the graduate school of administration. Young men in doubt as to what they ought to do for a life work will do well to consider the opportunities this field presents. The increased activity of chambers of commerce, boards of trade and similar bodies during the last few years, together with an appreciation of the breadth of the field opened to these bodies for their work, has made the work of the secretary more and more exacting from year to year. Those who have grown up in chamber of commerce work and have kept pace with the extension of this work are able to take care of the new demands made upon them without great difficulty. But from all over the country there is coming a demand for adequately pre-

¹ Secretary, Voters League of Pittsburgh.

pared men to take the place of those who have grown up with the business and who for one reason or another have left it.

The special value of the Harvard course for commercial secretaries is that it will first give a training in general business matters and then a special training. There is so much room for well trained men in business at the present time, that no man need hesitate relative to the course for fear that there will be no opening when he has completed it.

In the first year the following general subjects may be studied: business law, accounting, industrial organization, business statistics, railroad organization, investments.

In the second year the following general subjects may be selected: corporation finance, the railroad and the shipper, foreign trade, European trade, South American trade.

The various forms of activity in which chambers of commerce and similar bodies engage are also to be studied in the light of the actual experience of some of the more progressive organizations. The subjects covered include various aspects of the supervision of trading, such as inspection of grain and other commodities, control of warehouses, vigilance work, etc. They also include some of the methods for city development employed by trade bodies, such as methods for securing new industries, methods for bettering existing industrial conditions, railway rate activity, internal transportation problems, etc. The course also provides for a comparison of the organization and powers of chambers of commerce and similar bodies in the United States with those in some of the chief European countries and a survey of the federation movement both in the United States and abroad. The work of this course will be supplemented by experience in committee work in the Boston and other chambers of commerce. ELLIOT H. GOODWIN.¹

¹ Secretary, Chamber of Commerce of the United States.

Bureau of Municipal Research and Reference at the University of Texas.—

The University of Texas has now been added to the list of American universities conducting municipal research and reference bureaus. This new addition was organized in June, 1913, under the auspices of the school of government at the university. Prof. Herman G. James, in charge of the courses in municipal government at the university and a member of the advisory editorial board of the NATIONAL MUNICIPAL REVIEW, has been made director of the new enterprise. He is assisted by William M. Hamilton, a fellow in government, who wrote his master's thesis in municipal government at the university last year.

A special appropriation has been set aside for books and other equipment of the bureau, to which will be transferred also the entire municipal government division of the university library. The immediate purpose of the bureau will be two-fold; to serve as information bureau for the municipalities of the state, and to offer opportunities for graduate research work to the students in city government at the university. It is planned to extend the scope of the work at the earliest possible date so as to include special investigations at the request of particular cities into their local conditions, and the furnishing of expert advice on the ground by qualified members of the various university faculties.

Municipal problems present an unusually fertile field just now in Texas not only because that state as the home of the commission form of government has had the longest experience with it, but especially because of the recent adoption of a home rule charter amendment to the constitution. Under that amendment and the legislative acts in pursuance of the same many of the Texas cities will now be framing and adopting new charters and will be greatly in need of just the sort of information the bureau is intended to furnish.

In connection with the establishment of the bureau a movement has

been launched by the director for the organization of a league of Texas municipalities to have its first convention in Austin in the fall. This league will proceed upon lines substantially similar to those pursued by similar leagues in other states, and although Texas has a population three fourths rural and the other fourth living in cities of less than 125,000 inhabitants, it is thought such a league will prove quite as helpful there as in the states with larger cities.



The National Municipal League's High School Prizes for 1913 were awarded as follows: First prize to David E. Barton, Walnut Hills, Cincinnati, High School; second prize to J. G. Mitchell MacCartney, of the Altoona, Pa., High School. The subject was "The Milk Supply in My City" and the judges were John Spargo, Yonkers, N. Y., and Prof. Selskar M. Gunn, of the Massachusetts Institute of Technology. Sixty-one essays in all were submitted. Honorable mention was made of the essays submitted by Misses Jessie M. Webb, Ida Fowler Mealy, Marie A. McCann, Western High School, Baltimore; Althea Oyster, Alliance, Ohio; Howard H. Weber, York, Pa., Misses Ethel E. Tomb, Johnstown, Pa., Eleanor Turner, Marshall (Texas) High Schools.



Meyer Lissner of Los Angeles, a member of the council of the National Municipal League, has established a National Municipal Prize of \$100 for the year 1914, open to students at the Occidental and Southern California Universities and to students of the Los Angeles public schools above high school grade. The subject will be: "The Best Charter for Los Angeles."



A Municipal University for Akron, Ohio.—The directors of the chamber of commerce of Akron have unanimously recommended that the city council

should transform into a municipal university Buchtel College which was recently offered to the city by the trustees of the institution. If the council heeds the advice of the directors, Akron will join that growing list of cities which boast of municipal universities.



The Wisconsin Library School.—The library school of the Wisconsin library commission in coöperation with the University of Wisconsin is prepared to offer a twelve months course in library administration and public service. This work will be given in connection with the other courses in the university and is undertaken to meet the demand of young men and women in colleges and universities who have an interest in municipal, political, industrial and sociological problems and their solution without a definite desire to enter distinct philanthropic work but who desire to become library workers in legislative and municipal reference libraries, law and medical libraries, bureaus of investigation, tax associations, industrial commissions, boards of public utilities, commercial houses, manufacturing plants and other similar fields where knowledge of subject matter is of greater importance than a preliminary mastery of library technique. In the School about one-third of the time will be devoted to bibliographic and technical courses corresponding closely to those now given in the best library schools of the United States. These will include reference work, subject bibliography, book selection, the acquisition of material on current problems, public documents, cataloguing, alphabetizing, classification and library economy. Approximately one-third of the time will be devoted to courses selected from those now given at the University of Wisconsin, the nature of which will depend upon the particular branch of library work in which the student expects to go. The remaining one-third of the work for the year will be in the form of special

lectures on political science, political economy, historical, scientific, literary and other subjects. In addition to the regular roster, practice apprentice work in the libraries of Madison and vicinity will be required throughout the academic year. The course will be directly in charge of Clarence B. Lester, who founded and organized the Indiana legislative reference department and conducted it for two years.

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The Chicago Reference Library.—A little more than a year ago a section of the public library of Chicago was set aside for materials on government, administration, and economics. This material has now been considerably augmented and kindred books classified in such a way as to make a veritable municipal reference library. A card index of the library is established at the city hall, and a messenger service is maintained so that now, as the *Chicago Post* puts it, "the lightest literary wish of the alderman may be quickly satisfied." Chicago ordinances are classified under the name of the alderman standing sponsor for them so that the citizen may easily find out what his rep-

resentative in the council had been doing during his term of service. Thus, it is hoped, the "system of illumination in the city council chamber may be improved."

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Cincinnati will hereafter make an effort to put out its department reports in an attractive, intelligent, even popular form, and to that end Mayor Hunt has appointed a municipal editor. In the past, as is the case with the reports of most cities, the official reports have been bulky, voluminous, uninteresting and unintelligent. It is Mayor Hunt's idea that these reports should be made helpful to the public and to fellow officials and a clear and succinct accounting of the city departments for the year. Consequently, all unnecessary statistics will be eliminated and introductory and explanatory remarks will be designed to illuminate rather than submerge. It is also to be the duty of the editor to devise reports that will tell the department heads and the mayor the important features of the work of each department without confronting them with a mass of small details or unenlightening statements. The position is to be officially known as mayor inspector.

VII. SOCIAL AND MISCELLANEOUS

Public Health Notes.—A *Conference on Infant Welfare* was held at Albany, N. Y., on June 12, under the auspices of the state department of health. Besides general addresses by the governor, by Dr. Eugene H. Porter, state commissioner of health, and others, there were reports on infant welfare work in Buffalo, Rochester, New York and some of the smaller cities of the State. The proceedings of the Conference have been issued as a special bulletin of the New York state department of health (Albany, N. Y.).

All Milk Sold in Philadelphia after July 1, 1914, must either be "pasteur-

ized by a process approved by the board of health" or else "certified and guaranteed by an authority approved by the board of health." Pasteurized milk must be "placed in a container approved by the board of health."

A New Milk Ordinance for Hagerstown, Md., is reported as having been unanimously adopted by the council on August 14, after vigorous protests against it by local dairymen. Except that the ordinance provides that dairy cows must be free from tuberculosis, or proven by the tuberculin test, it appears to be too easy rather than too hard in its requirements, particularly if the

reports are correct that the bacterial limit is a half million per cubic centimeter and that the milk must be kept at a temperature of (*only*) 70 F. until delivered to consumers. A lower temperature would aid materially in keeping down the bacterial count. Press reports state that on failing to defeat the ordinance the dairymen at once resolved to increase the price of milk from 6 to 7 cents a quart. A still higher price would be warranted for safe milk of proper richness, unless milk can be produced at a much lower figure at Hagerstown than at most other places.

Milk Standards. A second and revised report on standards for various classes of milk supplies was adopted at Richmond, Va., on May 2 and 3,¹ by the commission on milk standards. This commission was appointed in March, 1911, by the New York milk committee. It consists of seventeen well known federal, state and local health officers, veterinarians, chemists, bacteriologists and sanitarians. Its chairman is Dr. W. A. Evans, formerly health commissioner of Chicago, and now professor of preventive medicine, Northwestern University, Evanston, Ill., and health editor of the *Chicago Tribune*. The report contains a full set of standards for use in producing and judging safe milk.

Immunization Against Typhoid Fever, sometimes called anti-typhoid vaccination, is now offered by some city boards of health without charge. New York City began the practice on January 1, through members of its own staff. Choice may be had between inoculation at home and at the office of the health department, or the culture will be supplied free to physicians for use in their own practice. The last-named plan became effective at Montclair, N. J., also, at the beginning of 1913.

A Health Handbook for Colored People

¹ See U. S. Public Health Reports, August 22, 1913.

was issued early in 1913 by the Virginia state board of health. Perhaps the most notable thing about the handbook is that it was prepared at the request of the Negro Organization Society (J. M. Gandy, executive secretary, Petersburg, Va.). Most of the suggestions in the handbook relate to household cleansing, the disposal of wastes and home water-supplies, all written from the rural or village rather than the urban viewpoint. There are also some good suggestions for personal hygiene, under the heading "cautions for the Colored Man." It is somewhat amusing to find among these "cautions," "Do all the work you can." The handbook (really a thin pamphlet) contains many valuable hints but it is a pity so little discrimination is shown between measures which vitally affect health and those which relate to mere tidiness and good housekeeping.

Advertising for Sanitary Inspectors, as for other municipal administrative officers, is common in England. In a recent number of *The Municipal Journal* (London) applications are invited for the position of assistant sanitary inspector of Richmond (*Surrey*). It was stated that "candidates must have had experience in the duties of the office, and must possess the certificate of some properly constituted examining authority" [as the Royal Sanitary Institute, presumably]. The salary offered was a little less than \$450 a year, rising about \$50 a year to a maximum of somewhat less than \$650 a year. At the same time the city of Liverpool advertised for a female sanitary inspector, not over 35 years of age, "able to produce evidence of training and acquaintance with domestic sanitation, the care of infants, and allied subjects." Wages for this position would begin at \$7.10 a week and rise "by stages" to \$9.70 a week. Each advertisement contained the usual warning to the effect that "canvassing members of the Council [soliciting the appointment] will be regarded as a disqualification."

The Century.—First under the brilliant leadership of the late Richard Watson Gilder, a long time member of the National Municipal League, and later under Robert Underwood Johnson, sometime member, *The Century* has been a sturdy and intelligent upholder of high standards of civic life and activity. Judging from the salutatory of the new editor—Robert Sterling Yard—the magazine will continue and broaden its interest in all things making for civic and social uplift, for in it he says:

There is no escaping the fact that civilization, like the river tumbling and swirling between two lakes, is passing turbulently from the old contention of the last several generations to the unknown, almost unguessable contention of the not distant future. The feminist movement, the uprising of labor, the surging of innumerable socialistic currents, can mean nothing else than the certain readjustment of social levels. The demand of the people for the heritage of the bosses is not short of revolution. The rebellious din of frantic impressionistic groups is nothing if not strenuous protest against a frozen art. The changed Sabbath and the tempered sermon mark the coldly critical appraisal of religious creeds. And science, meantime, straining and sweating under the lash of progress, is passing from wonder unto wonder.

Perhaps Mr. Gilder's period of literary flowering, though surely coming, must be postponed another decade. The need of the moment is to discover where we are, what is accomplishing about us. Where have all these struggling activities brought us? What have they really done? What do they mean? Whither do they tend?

It is time we look this question of the present squarely in the eye, in order, if for no other reason, that we may intelligently face the future. It is time that, in business phrase, we take account of stock. It is time that the chemist, for example, trembling over the revelations of his amazing combinations, know that the psychologist, too, is excited about the astonishing developments of his own laboratory; that the elated conquerors of the air realize the achievement of those who plod in the groaning shops of town; that the biologist, amazed at his artificial propagation of life, appreciate the telegraphic annihilation of space. . . .

Not as an advocate shall we present these causes, nor again in protest; but in the fair, free, unbiased spirit of investigation. Facts must precede opinions. It is poor rowing against the rapids between the lakes. Let us study these manifestations fairly and sympathetically before we draw conclusions. It will be *The Century's* pleasure and public duty to enlist the services of able authorities in every cause, and to present each justly from its own point of view.

Such a program will, we feel sure, help materially the cause of human progress because it will help men and women to comprehend life as it passes.

A cordial welcome to Mr. Yard, not only to the major editorial ranks, but likewise to the ever enlarging *corps élite* as Richard Watson Gilder so happily phrased it, in the realm of social and civic endeavor.

C. R. W.



A Social Center for Colored People in Chicago.—As a result of the enthusiasm of a young colored woman, Miss Clotee Scott, provision has been made for a social center for the colored people of Hyde Park, Chicago, by the establishment of a neighborhood house on Jefferson Avenue. The new institution is patronized by about three hundred men, women, and children, and offers an important experiment for the consideration of those interested in the advancement of the race, particularly in great cities.



A New Community Center in Chicago.—The west park commissioners of Chicago have under construction a new field house in Pulaski Park which is in the center of an enormous Polish population. The building is said to be one of the finest of its kind in the country and it will be equipped with all of the arrangements for social and intellectual activities which have been installed in the most enterprising social centers. It will be opened this autumn.

Clean Towns in Texas.—The *Holland Magazine* has offered a prize of \$500 for the cleanest town in Texas, and all over the state local leagues are being organized to enter the contest. In Mineral Wells, for example, a federation has laid the town out in several parts, assigned a committee of women to each part, and set to work with the avowed determination to win the

prize, and have a clean town in the bargain.



Municipal Tenements for Widows.—The bureau of charity of Havre, France, has established municipal tenements to be rented to widows who have several small children and are in destitute circumstances. A nominal charge of three francs a month is made for an apartment of three well-ventilated rooms.

VIII. PERSONAL MENTION

President John H. Finley, of the College of the City of New York, has been elected state commissioner of education by the Board of Regents of the University of New York, in succession to the late Andrew S. Draper. Dr. Finley was formerly professor of politics at Princeton.



William B. Howland, for years an active member of the National Municipal League and at one time a member of its council, has become publisher of *The Independent*, New York, having retired from a similar position on *The Outlook*. Mr. Howland is also treasurer of the American Civic Association.



Reginald Mott Hull, formerly secretary of the Cambridge Taxpayers' Association (see vol. ii, p. 325), is now a member of the Cambridge council.



Frederick L. Siddons has been appointed a commissioner of the District of Columbia by President Wilson. He is a well known single taxer and an advocate of the suffrage for the residents of the District. For years he has been a member of the council of the National Civil Service Reform League and at one time was a member of the Executive Committee of the National Municipal League. His colleague is Oliver P. New-
man.

Dr. Graham Taylor, of Chicago Commons and associate editor of *The Survey*, was elected president of the National Conference of Charities and Corrections at the Seattle meeting.



Edward L. Heydecker, assistant tax commissioner of New York City and chairman of the National Municipal League's committee on sources of municipal revenue, has been appointed by the Governor of New York a member of the commission to codify and revise the tax laws of that state.



Prof. Richard R. Price has accepted the position of director of the extension division of the University of Minnesota and will in that connection establish a municipal reference bureau similar to the one he conducted while a member of the faculty of the University of Kansas.



Julius Henry Cohen, a member of the council of the National Municipal League, has issued a pamphlet, entitled "The Protocols in the Coat, Suit and Dress Industry and in the Dress and Waist Industries," outlining what has been done in the last two or three years in the settlement of labor difficulties in these industries and in increasing the sanitary conditions under which the work therein is done.

Elliott Hunt Pendleton, of Cincinnati, editor of the *Citizens' Bulletin* of that place and a leading publicist, and member of the council of the National Municipal League, had the degree of master of arts conferred upon him at the recent Harvard commencement.



George W. Guthrie, for many years a vice-president of the National Municipal League and recently a member of its council, has been appointed ambassador to Japan by President Wilson.



Mrs. Owen Wister, a member of the National Municipal League from the beginning and at the time of her death president of the Philadelphia Civic Club, died suddenly at her summer home at Saunderstown, R. I., on August 24. Mrs. Wister, who was the wife of Owen Wister, the well known novelist, was an active and aggressive factor in the social and civic life of Philadelphia, and her death will not only come as a severe shock to all who knew and admired her, but will be a distinct loss to every forward movement, not only in the city of Philadelphia, but in the country at large. Mrs. Wister, who was a young woman at the time of her death, had however a long line of credits to her

account. She was chairman of the committee on civics of the State Federation of Women's Clubs. She was one of the two founders of the Civic Club and was active in the Philadelphia Conference for Good City Government, out of which the National Municipal League grew. Her references to this fact at the Los Angeles meeting constituted one of the most interesting phases of a very interesting occasion.



Charles Mulford Robinson has been chosen professor for the chair of civic design in the University of Illinois. This is the first designated professorship in this subject in the United States. As Mr. Robinson was unwilling to accept a resident professorship, the University authorities have graciously put him on part time so as to leave him free to carry on his practical work in city planning. It is interesting to note that in the choice of the title the University of Illinois followed the English precedent. The course will be included in the landscape gardening division of the college of agriculture. In the same connection we might point out that a course in landscape gardening was offered in Illinois in 1868, being probably the first in this country. In number of students it is one of the largest, if not the largest, in the country.

DEPARTMENT OF LEGISLATION AND JUDICIAL DECISIONS

EDITED BY JOHN A. LAPP

Legislative Reference Department of the Indiana State Library

RICHARD W. MONTAGUE, Esq., Portland, Ore.

In charge of Judicial Decisions

Civil Service Legislation.—Ohio. The most important gain during the past few months for the merit system has been in Ohio, where a comprehensive civil service law has been enacted. This was the result of the adoption last September (by a majority of over 100,000) of a constitutional amendment requiring that appointments and promotions in the civil service shall be made for merit and fitness. The only opposition to the bill came from the spoilsmen and the state librarians, who opposed the provision placing the staffs of the several libraries on a competitive basis. Their opposition was such that the bill was amended before final passage and the librarians were placed in the unclassified service.

The new law applies to the service of the state, its counties, cities and city school districts. A civil service commission of three members appointed by the governor for overlapping terms of six years has jurisdiction over the services of the state and its counties. The services of the municipalities are placed under the control of the local authorities. The state commission is, however, given supervisory authority over the local boards and may investigate their administration of the law at any time.

The new act, for which the Cleveland Civic League was largely responsible, provides for the appointment by the mayor (or the chief appointing authority) of three civil service commissioners, to serve for six-year terms. The members of the existing municipal civil service commissions are continued in office for the terms for which they were appointed.

Their successors, the first appointees of the chief appointing power, shall be appointed to serve respectively for two, four and six years. Not more than two members of the commission shall be adherents of the same political party. Provision is made for the removal of the commissioners by the chief appointing power on charges after a hearing.

If the appointing power of any of the seventy-two municipalities fails to appoint a municipal commission within sixty days after the passage of the act the state civil service commission shall make the appointments. The state commission can also draft rules for the municipal service if any of the local commissions fail to prepare such rules within six months of the passage of the act.

The public service is divided between the unclassified and the classified classes. The former class includes (1) all elective officers; (2) all heads of departments, boards of commissions designated by the chief appointing power; (3) all officers elected by the general assembly; (4) all election officers; (5) members of the national guard; (6) presidents, superintendents, directors, teachers and instructors in the public schools, colleges and universities; (7) two secretaries, assistants or clerks for each of the elective or principal executive officers, except the civil service commission, authorized by law to appoint a secretary; (8) all deputies acting for the heads of departments; (9) bailiffs of courts of record, and (10) employees and clerks of boards of deputy state supervisors and inspectors of election. The classified service, which is des-

ignated the competitive class, includes all other positions.

The law makes provision for the certification of the three highest names on the eligible list for the usual probationary period, at the end of which employees may be removed with the approval of the civil service commission.

In all cases of reductions, suspensions and removals the appointing officer must furnish the subordinate concerned the reasons for the action and give the employee a reasonable time in which to make and file an explanation.

A most important feature of the bill is the provision giving civil service commissions power to make investigations for the purpose of ascertaining the duties prescribed by law and practice for each employee in the classified service and all other facts enabling the commissions to determine the efficiency of the employees. The commissions shall establish grades in the service based upon similarity of duties and salaries and shall standardize employment in each grade. Standards of efficiency to be maintained by the employees shall be fixed by the commissions, which shall report to the heads of departments any failure to maintain satisfactory efficiency records. Such failure on the part of any employee shall be sufficient ground for dismissal.

The civil service commissions are given further power to investigate alleged abuses by the appointing officers. If such charges against the heads of departments are sustained by investigation, the civil service commissions shall so report to the chief appointing power, who is authorized to remove the guilty person after a hearing.

No person holding position in the classified service shall be an officer in any political organization or take part in politics other than to vote and to "express freely his political opinion."

Michigan. The voters of two cities—Detroit and Grand Rapids—have adopted charter amendments placing their services on a competitive basis. The adop-

tion of the amendment in Detroit completes a fight begun over three years ago. It provides for the appointment by the mayor of a civil service commission of four members to serve for four-year terms without salary. A radical provision of the amendment provides that the head of the department, in making promotions and removals, is required to file his reasons with the civil service commission, and the commission may and if requested in writing by the employee concerned, it becomes its duty to make an investigation of the promotion or removal in question. If it develops that the promotion or removal was made for reasons other than for the good of the service, a report to that effect to the appointing officers is sufficient cause for the setting aside of the promotion or for the reinstatement of the employee dismissed.

The charter amendments adopted by the electors of Grand Rapids on April 7 follow the more advanced ideas on civil service administration, in so far as the appointment of the civil service commissioners is concerned. They are appointed by the mayor for overlapping terms of six years each. An efficiency system is provided for, to be under the direction of the civil service commission, which shall establish standards of efficiency in all departments of the city government and all employees are required to render service according to such standards.

Minneapolis. A bill placing the service of Minneapolis on a merit basis passed the Minnesota legislature late in March and has received the approval of Governor Eberhardt. The law affects some 5000 employees and was drafted by the civic and commerce association. The law provides for the appointment by the mayor of a civil service commission of three members for three years to serve without compensation. The appropriation of the commission is safeguarded from the attacks of the spoils-men by a provision in the law that the city council must appropriate not less than \$25 for each 1000 inhabitants of the city.

Denver. The voters had the opportunity on May 20 to adopt an entirely new civil service chapter as an amendment to the charter. Owing to the adoption in February of two poorly drawn charter amendments which provided for the commission form of government there was grave doubt whether city and county employees were guaranteed a permanent tenure during good behavior or were appointed for four-year terms. The Denver civil service reform association has drafted the new section, which provides, among other things, for the appointment by the council of three civil service commissioners to serve for overlapping terms of six years each. Separations from the service are placed entirely in the hands of the civil service commission, which shall sit as an administrative board. Profiting by the experience of the Colorado state commission at the hands of the spoilsmen, provision is made for the annual appropriation by the council of a sum equal to not less than \$1000 for each 50,000 inhabitants.

Philadelphia. The Blankenburg commission had been under the fire of disappointed place seekers and a futile attempt was made at Harrisburg to legislate the present commission out of office by establishing an elective civil service commission.

New York State. The legislature has taken a reactionary attitude by passing the so-called Walker removal bill, which affects every competitive employee in the state, county, city and village services. This is the bill, advocated by the organized employees of the state, which not only gives a trial on removal but allows the employee to take his case to the courts by a writ of certiorari. In spite of the fact that many mayors and practically every head of the state and New York City departments were opposed to it, the bill was sent to the governor on the last day of the session by a strict party vote. The civil service reform association and other organizations which opposed the bill have asked the governor for a hearing, as its enact-

ment into law would inevitably break down discipline in the public service and clog the service with incompetents.

Another bill which has become law is intended to give home rule to all cities of New York state. This act, which had the endorsement of the Municipal Government Association and the Citizens Union, was opposed by the Civil Service Reform Association, because its language was so vague that it may admit of a construction which will remove the civil service commission of every city in the state from the supervision of the state civil service commission.¹

GEORGE T. KEYES.²



Municipal Ownership, 1913.—*Philadelphia.* Probably the most important legislation looking to the municipal ownership and operation of public utilities during the state legislative sessions of 1913 was an act authorizing Pennsylvania cities of the first class to "purchase, lease, locate, construct and equip" and "own, use, maintain and operate" street and suburban railways. The act was passed by the Pennsylvania legislature and became a law with the approval of Governor Tener, June 17. It applies only to Philadelphia, the one first class city in the state. The act confers upon the city the right of eminent domain and the right to make physical connections with any privately owned railway. It also provides for the assessment of damages to condemned property. Not only is Philadelphia empowered to acquire, own and operate street railway lines but the city likewise is empowered "To enter into agreements for the construction or operation, or both the construction and operation . . . including the prescribing and fixing of rates for transportation Provided, no such lease, license or operating agreement shall be for a longer period than fifty years." Provision is made further for beginning

¹ See p. 684, NATIONAL MUNICIPAL REVIEW, vol. II.

² Assistant Secretary National Civil Service Reform League.

the work of construction within eighteen months from the date of agreement and for completion of transit facilities within a period fixed by the agreement. Power is conferred upon private corporations to enter into such agreements with the Philadelphia council as are permitted to the city itself.

At least ten states made important additions to the power of municipalities to acquire, own and operate municipal utilities during the legislative sessions of 1913.

New Hampshire instituted a departure in municipal ownership by conferring on cities the right "to vote money to purchase and manage lands for the purpose of growing wood and timber." Timber lands so acquired are to be developed under the direction of the state forester. This act marks a new phase of conservation in so far as its admitted purpose in the very practical one of furnishing firewood to the people. It represents the effort of one state to recover what has been lost in the ruthless waste of timber lands.

Washington, Kansas and North Dakota. Country-wide agitation against the middleman fructified in these states, where municipalities were given power to acquire and operate public markets. In Washington, an act already in force was amended giving cities power "to construct, acquire and operate public markets and one or more cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables and other perishable provisions." Kansas granted to the cities of the first class power to own, operate and regulate market places but the purchase of markets must first have been authorized by the people at a general or special election. In North Dakota, the city council is empowered to purchase, erect, lease, maintain and manage market houses and slaughter houses.

Connecticut, in four special acts, gave to four cities, Hartford, New Haven, South Norwalk and New Britain, the power to own and operate municipal ice

houses. The amendment to the charter of South Norwalk also gave the city authority to operate a municipal cold storage.

Wisconsin gave power to all cities to establish and operate ice houses and plants.

Iowa. The operation of garbage disposal plants by cities of 80,000 population or over is authorized by a new statute. A special tax levy for the purpose of acquiring a plant is provided for in the act. The levy can not exceed one mill on the taxable property.

Minnesota. First class cities are empowered to construct union depots, while an *Illinois* statute authorizes cities of less than 500,000 population to levy a tax of not to exceed three mills for the erection of public coliseums. The tax must first be sustained by a referendum vote of the people. *North Dakota* also has a new law, permitting city councils to submit to popular vote the question of a bond issue for municipal auditoriums, armories, public playgrounds, public gymnasiums, public baths, and other places of public amusement or recreation. Under the North Dakota act a limit of 5 per cent on the assessed valuation fixes the amount of the bond issues, except by a two-thirds vote the electors may extend the limit three per cent. All bonds must be sold at par.

New Hampshire. A new act authorizes cities to operate publicly owned lighting systems. An amendment to an *Iowa* act permits municipalities engaged in the operation of heating, water, gas, light and power plants to dispose of their product outside the city limits and to private individuals or corporations. *Kansas* abolished the "fair margin of profit upon capital invested" as a factor in determining rates for water furnished by municipal plants. Only operating expenses, interest, sinking fund, depreciation, improvements and repairs and loss of taxes incident to municipal ownership are to be considered as rate factors.

The *Illinois* legislature passed a general act authorizing cities of all classes to acquire, own, operate and lease public

utilities after an affirmative referendum vote. Construction and operation are subject to separate referendums under the act. Leases for a longer period than five years must be subjected to referendum when petitioned for by ten per cent of the voters. A special act was also passed giving to Chicago the right to own and operate harbors and docks. A general act authorizes cities of all classes to levy a "levee tax" of not to exceed \$1 on each \$100 of assessed valuation for the construction of levees in districts imperiled by floods.

New Jersey provided for the establishment of public comfort stations by municipalities in 1913.

Viewed by comparison with legislation of other years, 1913 may be regarded as having been particularly fruitful in the matter of new laws, extending the scope of municipal ownership.

CARL HENRY MOTE.¹

Indianapolis.



Public Utilities.—Eight states created state commissions for the control of public utilities during the session of 1913. These states are: Indiana, Illinois, Colorado, Missouri, Montana, Idaho, Pennsylvania and West Virginia. Massachusetts conferred the duties of the highway commission relating to telegraphs and telephones and the duties of the railroad commission upon a public service commission. Ohio redrafted the public utility commission law giving added powers especially relating to valuation and stock and bond issues, and New Hampshire amended her law by giving the commission power over accounting including depreciation. In each case the commission is made appointive by the governor.

These laws uniformly require that public utilities shall give just and reasonable service at a just and reasonable price and in most states give the commissions ample power for investigation and enforcement. The municipal utili-

ties placed under control in the different states are principally heat, light, water and power companies, street railways, telephone and telegraph companies. In most of the states the commissions control also railroads and other common carriers and similar services.

Discrimination is prohibited in service and rates; free service to any but certain excepted classes is prohibited and in all but West Virginia issues of stocks and bonds is placed under the regulation of the commission; uniform accounts are provided for, either in a mandatory or optional way, and valuation of the property used and useful for the convenience of the public is authorized in nearly all of the states. In Indiana and Ohio such valuation is required. In nearly every state municipally owned utilities are subject to the same regulation as others. The laws make no exceptions for home rule. Although a strong effort was made in Illinois to except Chicago from the law, it failed. The state commission is therefore supreme in most things over the municipalities but much power is left to the municipalities to regulate and control. The cities grant franchises and regulate by contract or otherwise the service and condition of occupying of the streets. In Indiana the indeterminate permit is provided for after the manner of the Wisconsin law. There are no distinct departures in the laws from those heretofore enacted in nearly a score of states but there is a tendency to give real powers to the commissions. With the exception of the law passed in West Virginia and the half way measure of Massachusetts, the laws of the year represent nearly all of the best which has been proven good by experience in other states.

California. The new public utility district act² is worthy of very careful consideration. Such districts may include municipalities only or both incorporated and unincorporated territory,

¹ Formerly Editor, *Indianapolis Sun*.

² Chap. 261, L., 1913.

whether such municipalities or such territory are in the same, or in different counties, but no municipal corporation shall be divided in the formation of such a district. Such a district may, "acquire construct, own, operate" control, or use within or without, or partly within or partly without "the district, works for supplying the inhabitants of said district with" light, water, power, heat, transportation, telephone service or other "means of communication, or for the disposition of garbage, sewage," storm water or refuse matter, or parks, and do all things necessary or "convenient to the full exercise of the powers" granted in the act. Constitutional amendments proposed are vitally related to this general subject matter of public utilities. The constitution as it was amended October 10, 1911, retains great powers in municipalities over public utilities which may be surrendered by such municipalities to the railroad commission, and may again be resumed by such municipalities. It is now proposed, that the powers and rights of such municipalities would, in case of such amendment, be as follows:

Provided, however, that this section shall not affect such powers of control over public utilities as relate to the making and enforcement of local, police, sanitary and other regulations, other than the fixing of rates, vested in any city and county or incorporated city or town as, at an election to be held pursuant to law, a majority of the qualified electors of such city and county, or incorporated city or town, voting thereon, shall vote to retain, and until such election such powers shall continue unimpaired, but if the vote so taken shall not favor the continuation of such powers they shall thereafter vest in the railroad commission as provided by law; and provided, further that where any such city and county or incorporated city or town shall have elected to continue any of its powers to make and enforce such local police, sanitary and other regulations, other than the fixing of rates, it may, by vote of a majority of its qualified electors voting thereon, thereafter surrender such powers to the railroad commission in the manner prescribed by the legislature, and provided, further, that this

section shall not affect the right of any city and county or incorporated city or town to grant franchises for public utilities upon the terms and conditions and in the manner prescribed by law.

The two significant changes consist in the phrase, "other than the fixing of rates," and the omission of the provision for revesting power in municipalities.

*

Taxation.¹—The subject of taxation of interest to municipalities did not receive much attention at the recent sessions:

Constitutional amendments have been adopted this year by the legislatures of Kansas and Oregon, to be voted on by the people in those states in November, 1914, and intended to permit the classification of property for taxation at different rates. Amendments substantially similar have been rejected twice (1910 and 1912) in Oregon by a small majority. Both states now have constitutional provisions which impose the rigid general property tax, subjecting all property, real and personal, to one rule of assessment and taxation. Iowa passed an amendment for the first time providing for the separation of sources of revenue.

New Jersey enacted one important tax law, providing for tax maps throughout the state. This was one of the recommendations of the commission to investigate tax assessments. Cities, boroughs, villages and towns not having maps, or where existing maps are inadequate, must provide their assessors with an adequate map within two years, showing the boundaries of each property, together with lot and block designations, in accordance with rules to be established by the state board of equalization of taxes, which is the central supervising body.

Maps in townships are to be prepared without the expense of an actual survey of each property. *New Jersey* is fortunate in having a complete geo-

¹ Notes by A. C. Pleydell and Charles W. Reeder.

logical survey, on a scale of one mile to the inch (similar to the United States survey). The law provides that outline maps for the various townships shall be prepared by the state board, showing, by enlargement from the geological maps, the highways, railroads, etc. The county tax boards are to arrange with the local assessor, or some other competent person in the county, to draw on the map the boundary lines of various properties, by consulting deeds or by observation, without a survey; the map is then to be open for public inspection in the taxing district on a day stated and to be corrected in accordance with criticisms of property owners. This plan is much cheaper than an actual survey and sufficiently accurate for the country districts. It was first suggested by E. L. Heydecker of New York, at the second tax conference in that state last year.

The law provides also that a township may, by vote of the people, order a surveyed map, or that the state board may cause a survey to be made of such part of a township as cannot be properly mapped by the above plan, as, for example, where there is a suburban lot development. This work in the townships is to be completed within five years.

Ohio had considerable legislation on taxation. One law¹ makes it the duty of the state tax commission to direct and supervise the assessment of all real and personal property in the state for taxation. By its terms, all elective assessors are abolished, together with all boards of review. For the purposes of this act, each county in the state is made an assessment district. If less than 65,000 in population, one deputy state tax commissioner will be appointed for it; in other counties, two. These officials are appointed by the governor. They in turn appoint deputies, assistants, experts, clerks and other employees.

Under the direction of the state tax commission these officials list and value

for taxation all real and personal property subject to taxation in the assessment district. The results of the work are delivered to the county auditor.

In each assessment district there is appointed by the tax commission a board of three persons who constitute a "district board of complaints." The board hears all complaints relating to the assessment of both real and personal property. It may raise or lower an assessment, or order a re-assessment. The results of these boards' work are given to the district assessors. Provision is also made for appeals to the state tax commission.

*The Smith One-Per Cent Tax Law*² had a limitation that the amount of money raised by taxation for 1911 and each succeeding year should be based upon the amount raised in the year 1910. This limitation was removed. The law³ now provides that the aggregate amount of taxes levied in any district shall not in any one year exceed ten mills on each dollar of tax valuation. Levies for sinking fund and interest are made in addition to the above. Another law⁴ fixed a limitation on the maximum levy, including sinking fund and interest, at fifteen mills.

Three changes were made by the legislature in allowing excesses over the ten and fifteen mill limits. Two of these were due to the great damage done by the floods in Ohio during March and April, 1913. One law⁵ authorizes the repair or replacement of public property damaged or lost by the issue of bonds, the tax levy to pay the interest and principal of which shall not be subject to any limitations. The second law⁶ allows the replacement of school houses damaged by the floods from funds secured from bonds, sold above the limit allowed by law.

² NATIONAL MUNICIPAL REVIEW, vol. 1, p. 282-283.

³ 103 O. L., 552.

⁴ 103 O. L., 57.

⁵ 103 O. L., 760-763; also 141-147.

⁶ 103 O. L., 527.

¹ 103 O. L., 786-804.

The third¹ change in the tax law is in connection with the "good roads movement." The legislature authorized the levying of an annual tax of one-half of one mill on all the taxable property within the state to be used in highway improvement. This latter levy is in addition to all other levies made for any purposes whatsoever.

*

City and County.—*California.* The statutes of 1913 in California contain many act tending to bring the functions of the city and county together. There has long been a fairly well established line of demarcation between counties and cities in California, as expressed by Justice Harrison of the supreme court of California, in *County of San Mateo vs. Coburn*² as follows:

A county is a governmental agency or political subdivision of the state, organized for purposes of exercising some functions of the state government, whereas a municipal corporation is an incorporation of the inhabitants of a specified region for purposes of local government.

The fight for home rule for cities being very largely won, the pressure for a rapprochement between the activities of the county and of the city has been continually growing stronger, and, perhaps, the first substantial step, in accordance with the facts, and away from such logical distinction between the county and the city, was the amendment of the constitution by the addition of a new section known as 7½ article 11, adopted October 10, 1911, permitting a county to frame a charter for its own government. This may have been foreshadowed by section 7 of that article, adopted November 6, 1894, permitting city and county governments to be merged and consolidated into one municipal government.

Under this new provision for county charters there has come into existence

the Los Angeles county charter,³ and the charter of the county of San Bernardino.⁴

The point thus reached is certainly a far cry from "a system of county government which shall be uniform throughout the state" which was and still is the provision in section 4 of article 11, and originally a part of the present constitution of 1879.

It may be that the proposed amendment of section 13 of article 11 (by assembly constitutional amendment no. 47),⁵ so that the legislature shall unquestionably "have power to provide for the supervision, regulation and conduct, in such manner as it may determine, of the affairs of irrigation districts, reclamation districts or drainage districts, organized or existing under any law of this state" may infringe somewhat upon municipal powers. Constitutional amendments passed seek to bring the city and county government together.

Chapter 92 provides

For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section eight of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns.

Another constitutional amendment provides that

the legislature may, by general laws, provide for the performance by county officers of certain of the municipal functions of cities and towns so incorporated (under the municipal incorporation act) whenever a majority of the electors of any such city or town voting at a general or special election shall so determine.

The converse of this is also provided as an amendment to section 7½ of article

¹ 103 O. L., 863; also 155-158.

² 130 Cal. 631, 636.

³ Chap. 5, Laws 1913.

⁴ Chap. 33, Laws 1913.

⁵ Chap. 91, Laws 1913.

11 to enable the assignment of the performance within municipalities of any of the duties of county officers to city officials. Further amendments seek to clarify the application to the new city county organization of the provisions of section eight of article II which provides for incorporation of cities and towns.¹

R. S. GRAY.

San Francisco, Cal.



Budget Legislation.—*Wisconsin.* The legislature, prohibited by state constitution from enacting special municipal legislation, has this session revised budget procedure for Wisconsin cities of the first class. Heretofore budget making, based on meager information, lump sum appropriations once adopted not revisable, budget schedules largely permissive appropriations requiring further common council authorizations to expend, a financial hiatus during the first month of every year due to the fiscal year commencing January 1 and budget adoption on January 31, confusion as to time effective of salary revision because of conflicting charter provisions reading current year, ensuing year or next ensuing year, and a long tortuous journey through committees depending upon gossip information rather than on written facts, has been budget making on anything but a scientific efficient basis—a guess proposition and a poor guess at that.

The new budget law provides (a) that heads of departments shall file estimates of proposed expenditures of every kind and nature, in detail, and the reasons therefor, with comptroller not later than October 1, (b) a board of estimate consisting of mayor, comptroller, treasurer, city attorney, president of common council, commissioner of public works and the five members of the finance committee of the common council, (c) that from departmental estimates the board shall adopt a tentative budget by December

15 all meetings to be public, and after at least one public hearing, (d) that the common council, after revision, and at least one public hearing, shall adopt budget by December 31, (e) that board of estimate shall meet at call of mayor and may revise budget items upon request, supported by data, of department heads, (f) that budget items shall be appropriations. All commissions and boards, over which common council has limited jurisdiction are also brought under this act. The legislature has also passed amendments in conjunction with the budget act which vests the comptroller with greater and more positive authority as to prescribing accounting methods, forms of payrolls, etc., in departments. The lot and block system for writing tax rolls and tax bills, similar to the system in New York City, has been authorized.

While there has been no state budget legislation, great advance has been made as to making up the general appropriation bill, all items having been set forth on a scientific budget plan.

RALPH BOWMAN.²

Ohio. The make-up of the budget commission³ was also changed.⁴ It now consists of three members: The county auditor, the mayor of the largest municipality, and the city solicitor of the largest municipality, provided the amount of taxable property in the cities and villages exceeds that outside, otherwise, the president of the school board of the school district containing the largest municipality. This board determines the tax levy for each county in the state, after receiving all the requests from all the districts and the state.



Legislative Reference.—That legislative reference is still progressing is evinced not only by the new departments each year sees created, but also

² Director Milwaukee Bureau of Municipal Research.

³ NATIONAL MUNICIPAL REVIEW, vol. 1, p. 282.

⁴ 103 O. L., 552.

¹ Laws 1913, chap. 90.

by the radical changes introduced into the administration of already established bureaus. Three new departments will date from 1913, New Hampshire, California and Illinois. In New Hampshire, the work begins modestly as a function of the state library, with \$500 of the library fund diverted for the purpose but with no provision for a special librarian. In both California and Illinois the issue seemed to be, not the importance of the work which was generally admitted, but in what way it was to be established. Several bills embodying various schemes for legislative reference were introduced into the assemblies of each state, resulting, in California, in a legislative counsel bureau—the governor and two members from each legislative house—to be administered by a salaried chief of the bureau, and, in Illinois, in a quite similar plan, a joint legislative commission,—the governor and the chairmen of the appropriations and judiciary committees of both houses with a secretary to carry on the work. Each law includes bill drafting and, in Illinois, the bureau is required to furnish each general assembly with a budget of state expenses.

In Vermont, Indiana and Ohio, the legislative reference departments already existing as branches of the work of the state libraries, were placed on an independent basis by 1913 enactments which removed them from the state libraries, and made them separate bureaus, granting them more ample appropriations. In Vermont, the chief of the bureau is appointed by the governor; in Indiana, a separate board of the governor, state librarian, presidents of the two state universities and one other member controls the bureau; and in Ohio the work is directly under the supervision of the state board of library commissioners. The new Vermont law adds to the bureau two revisers of statutes, also appointed by the governor, to assist in bill drafting and endorse or reject as to phraseology and consistency existing statutes, all bills introduced.

The following item in the Nebraska appropriation bill, is of interest as an entirely new departure in legislative reference work—designed, perhaps, to limit the amount of bill drafting falling upon the bureau to the more important bills:

Neither the director nor the assistant director, nor any employee of the legislative reference bureau shall draft or prepare any bill for introduction into the legislature for any member of the legislature or for any other person, except on the payment of five dollars (\$5.00) for each and every bill that may be so prepared by any employee of said bureau, which sum shall be paid into the State Treasury for the benefit of the general fund.

Without legislative enactment or appropriation, the state universities of Colorado and Washington have made a beginning in this line of work and maintained bureaus at their respective state capitols during the legislative sessions.

ETHEL CLELAND.¹



Social Welfare Board.—*Missouri.*² A social welfare board was created for counties having a city of the first class in Missouri to take the place of the charity boards, and to consist of the mayor, president of the county court, three members appointed by the county court and three by the mayor and council. The law declares that the board shall be non-political and non-sectarian. The duties of the board are those incident to the betterment of social and physical causes of dependency, the relief and care of the indigent and the care of sick dependents excepting insane and those having transmissible diseases and those admitted to the poor house. Besides the duties of relief, the board is made a center of inter-communication for the charitable organizations with the end of eliminating overlapping relief. A confidential registration bureau is to be maintained. The police

¹ Indiana Legislative reference bureau.

² Laws 1913, p. 134.

commission and health authorities are required to aid the board whenever requested in matters coming within their respective functions. The law requires that the board shall make concentrated attack on social causes of hardship such as insanitary housing, child labor, pawn shops, and loan sharks.



Motion Pictures.—*Ohio.* The restrictions on theaters and motion picture show rooms were lessened by the recent legislature.¹ The minimum size of room was changed from 25 feet wide, measuring the clear between the walls, to 18 feet; and the height of the room was changed from 15 feet to 13 feet. A board of three members is to be appointed for the state by the industrial commission to censor motion picture films.² The films are to be submitted to the board before they are delivered to the exhibitor. If passed they are to be stamped, and numbered consecutively. Before the films are shown, the words "Approved by the Ohio Board of Censors" and the number must be projected upon the screen. The board may work in connection with other censor boards as a censor congress and the action of the congress will be accepted. Ninety days after the law goes into effect, no films can be shown in Ohio unless passed by the board. The penalty for violating the act is a fine of \$25 to \$300 or an imprisonment of 30 days to one year or both.³



Advertising—Municipal.—A Washington law⁴ authorizes cities of from 10,000 to 18,000 inhabitants to create by ordi-

¹ 103 O. L., 114.

² 103 O. L., 399.

³ Notes by C. W. Reeder, Ohio State University Library.

⁴ Laws 1913, chap. 57.

nance a publicity fund, to be used exclusively for exploiting and advertising the general advantages and opportunities of such city and vicinity, and to levy a tax not exceeding 2.5 mills on the dollar of the assessed valuation of the taxable property of such city. This publicity fund is to be managed by a board of three members, who are nominated by an incorporated commercial organization of such city having not less than two hundred dues paying members, then appointed by the mayor and confirmed by the council. The members of this board serve without remuneration and must be actual residents, voters and property owners in such city and must give bond to the city in the sum of \$1000. No part of this fund shall ever be paid to any newspaper, magazine, or periodical for advertising or for any services whatsoever, nor for making exhibits at any fair, expositions or the like.



Residence Districts.—A Minnesota⁵ law authorizes cities of 50,000 or more to designate residence districts in which the erection of anything but residences may be prohibited. Industrial districts may also be designated where certain classes of industries may be carried on. In the city of Boston⁶ no building used as a garage shall hereafter be erected or enlarged without the approval of the board of street commissioners after a notice and public hearing upon an application filed with the board. The board shall hear all parties interested and after giving due consideration to the interests of all owners of record notified, the general character of the neighborhood and the public convenience and determine whether the permission should be granted.

⁵ Laws 1913, chap. 420.

⁶ Laws 1913, chap. 577.

II. JUDICIAL DECISIONS

Brick Kilns in Residence Districts.—Los Angeles has an ordinance prohibiting the maintenance or operation of brick kilns in certain described residence districts. A violation of any of the provisions of the ordinance is made a misdemeanor. One Hadachek, who owned land and operated a brick kiln within the district described before the territory concerned was annexed to the city, was arrested for continuing to operate it after the ordinance went into effect. In upholding the validity of the ordinance in habeas corpus proceedings brought by him, *ex parte Hadachek*,¹ the supreme court of California very positively affirms the power of legislative regulation of possible nuisances. It holds that this trade conducted in a residence district is one concerning the innocuous character of which reasonable minds may differ. That absolute prohibition in such districts is accordingly a matter for legislative determination. That the courts will not substitute their judgment upon the issue for that of the legislative body. It is further held that the business having antedated the residences made no difference. That the residents are not estopped from objecting to a nuisance by the fact that they moved into the vicinity of it. That the power to regulate a given business is not limited by the fact that the value of investments made in the business prior to legislative action will be greatly diminished. The point made by the petitioner that the purpose of the ordinance was to suppress his and one other business was held immaterial, the suppression being otherwise proper, and there being no showing of an intent to injure or to discriminate against him as an individual.

This decision is one of a series in which the rights of a city to regulate conditions of living within its boundaries is affirmed completely.

Uniformity in Water Rates.—The distinction between the public and private nature of various activities of a city is discussed by the supreme court of Alabama in *City of Montgomery vs. Greene et al.*² The city water mains were extended out-side the limits of the municipality, and an additional charge made for water from such extensions. The court held that all persons are entitled to have the same service at the same rates. That the fact that the city had elected to extend the mains beyond the limits did not entitle it to charge more for water so supplied. That when a city goes into the business of supplying water to its inhabitants or others, it does it in the capacity of a private corporation, and not in the exercise of its power of local sovereignty, and is in this respect on precisely the same footing as a private corporation.



Rights in the Water Fronts.—The supreme court of Oregon in *Pacific Milling and Elevator Company vs. City of Portland*³ handed down a decision of vast importance to cities trying to rescue something from the past prodigality of the state legislature. The property involved ran high into millions, and consisted of that portion of the bed of the Willamette river between high water mark and the line of navigation. The contention of the city was that this property was vested in the state for the use of the public, and that gifts by the legislature purporting to convey it to the owners of the riparian lands were void, and conferred no rights in respect to it. That the state being in the position of a trustee for the people could not divest itself of the property to private parties in violation of the trust. Various objections were also raised to the form of the divesting. The court, however, was impressed with the fact

¹ P. R. 132-584.

² 60 S. R. 900.

³ 133 Pac. R. 72.

that taxes had been paid on the lands in question for a number of years. That investments in large amounts had been made on the strength of the titles in dispute, and that stability of land titles is of much importance. It therefore confirmed the ancient and wholesale legislative grants placing in private hands almost the whole of the river banks within the city limits thus infinitely increasing the difficulty of municipal use and municipal development of the waterfront.



Things a City Ought to Know.—St. Louis permitted a sink hole to exist close to an unguarded sidewalk. A heavy storm filled the hole with water and a child was drowned in it. The supreme court of Missouri in *Benton et ux vs. City of St. Louis*¹ decided that the city must be deemed to have known that the hole was filled with water after the storm, although it did not know that any particular storm had filled it. The court holds that a city is to be presumed to have rather full and complete knowledge as to conditions within its boundaries, though it may not be informed as to how those conditions came to exist.



Commission Government and the Constitution.—Opponents of the commission form of government usually depend on the constitution as a last defense. In *State ex rel. Duniway et al vs. City of Portland et al*² the futility of this defense was again exemplified. Oregon cities, by constitutional amendments, enjoy a very large measure of home rule. The case came up on an application for a writ of mandamus to compel the city auditor to place on the ballot the names of the nominees selected at the primary held on the day the new charter was adopted, and which nominations were avoided by the fact of the proposed charters being adopted. Among the objections urged was that the charter was

void for the reason that it prohibited political designations on the ballot, that it consisted of a mass of amendments and did not give the voter an opportunity to vote on each separately, that the preferential system of voting is a violation of the constitution, and that less than a majority of the registered voters having expressed themselves the charter could not be considered to have been adopted.

The court adopted as a test the power of the legislature to have enacted the charter before the home rule provisions became effective, and held that such an enactment having been within the power of the legislature, it is within the power of the voters of the city now. That the right to a political designation on the ballot is no more essential than that to a religious or fraternal one, and that voters who did not take enough interest to vote are to be considered "ciphers, and put in a column by themselves."



Competition in Water Supply.—In view of the alleged "holdup" tactics of private water companies in various cities the decision by the circuit court of appeals in *Town of Glenwood Springs vs. Glenwood Light & Water Company*³ is of considerable interest. The water company in this case held a franchise for a term of years to supply the town and its inhabitants with water, and to lay pipes, etc., and the exclusive right to furnish the town with water for public purposes, such as flushing of sewers, fire fighting, and street sprinkling. The company had executed the contract and was operating under it when the town undertook to establish a competing municipal system. It was held that the city was entitled, so far as the contract was concerned, to construct and operate waterworks, and to compete with the company in supplying its inhabitants with water for domestic and other purposes, so long as it did not infringe on the exclusive grant made to the company

¹ 154 S. W. R. 473.

² 133 Pac. R. 62.

³ 202 F. R. 678.

and that an injunction restraining it from so doing could not be sustained.



Obligations under a Franchise.—The right of a city to revoke a franchise for incomplete compliance with its terms was considered by the United States Supreme Court in *Grand Trunk Western Railway Company vs. City of South Bend et al.*¹ The company held a franchise to lay double tracks on one of the city streets, but had laid only a single one over the greater part of it. The city officials revoked the franchise as to that part of the street having only the single track. The company was able to show however that, relying on the grant, it had bought property from abutting property owners and was prepared to lay the additional track as soon as its traffic demanded it. That a part of the double track had already been laid. On this state of facts, the court held the revocation of the franchise a violation of contract, and unconstitutional on that ground. The chief difference between the city and the company re-

lated to the time to be allowed for full performance. The court apparently possessed a greater stock of patience than the city authorities were able to command.



Property Owners Defended.—The collection of water rates in such a way as not to use too large a proportion of the income in the effort, and at the same time to get the money is an administrative problem, of importance in all cities with a municipal water supply. Nashville undertook to make all unmetered rates a charge against the property owner instead of the user. The supreme court of Tennessee, however, in *Farmer vs. Mayor and City Council of Nashville*² held the ordinance to be unjust and unreasonable and an arbitrary distinction as not bearing on all citizens equally, and therefore void. That all necessary protection to the city is furnished by the terms of another ordinance which requires unmetered water rates to be paid in advance.

C. D. MAHAFFIE.³

¹ 33 S. C. R. 303

² 150 S. W. R. 189.

³ Of the Portland, Ore., bar.

DEPARTMENT OF REPORTS AND DOCUMENTS

I. CRITICAL AND INTERPRETATIVE

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The City Milk Trade.¹—Most people think that the milk question is new in America, that it appeared not over twenty years ago, but really it began to make itself felt in the big cities at an earlier period. Thus, in 1859 the office of milk inspector was established in Boston; in 1870 the board of health of Providence investigated the milk supply of that city; and in 1871 the board of health of Washington looked into that of the federal city. But in a sense the public is right, for the regular collection and analysis of milk samples did not become common in American cities until the period from 1885 to 1890. It seems probable that at about this time the family cow disappeared and dairymen found it necessary to locate so far from their trade that they found it difficult to deliver milk in good condition and had lost personal contact with their customers. At all events the efforts of those who were trying to keep milk supplies pure were almost wholly in the direction of attempting to stop watering, skimming, and other forms of sophistication. Such work was certainly necessary, if the records are to be believed, for this kind of cheating was common, but it was an attempt on the consumer's pocketbook rather than on his life. This was forcefully brought to public attention by Sedgwick and Batchelder in 1890, by the publication of the results of their bacteriological study of the milk supply of Boston. The large number of germs found amazed people and prepared the way for new methods of controlling milk supplies.

A few years later the town of Mont-

clair, N. J., suffered from a severe epidemic of milk-borne typhoid fever, and in consequence established a board of health on thoroughly modern lines that ever since has stood as an example of what a board of health should be. It chanced that the health officers appointed by this board were pupils of Sedgwick; so, for this reason, and, perhaps, because a milk epidemic begot the board, it has given much attention to the milk question. In bettering local conditions less emphasis was laid on chemical tests than on dairy inspection and on bacterial counts, with the result that milk was improved by correcting conditions that prevailed on the farms whence it came. The work was educational both to the dairymen and the public, for inspectors spent much time at the farms and the annual reports of the board, both in pictures and words, told exactly the conditions at the several farms that supplied the town. This sort of story is familiar now, but then it was new, consequently the reports had a wide circulation, so that Montclair methods were widely copied and, in fact, in forms adapted to the needs of other communities, came into general use.

That Dr. Henry L. Coit, when he originated certified milk in 1893, made a contract for its production with a Montclair dairyman, Stephen Francisco, was of great help to the board, for there was already established in the field a sanitary dairy that was successful enough to impel other dairies to copy its methods and that for some time had been educating people to the value of clean milk. The idea of having milk certified by a medical milk commission spread. Certified dairies are established in many places in the

¹See NATIONAL MUNICIPAL REVIEW, vol. 1, pp. 71 and 700; vol. 11, pp. 313 and 509.

United States, and everywhere exert a similar influence to that of Montclair.

At about the same time that the work of Sedgwick and Batchelder appeared, the agricultural experiment stations began to evince interest in dairy bacteriology and in the production of clean milk. Conn of Connecticut and Russell of Wisconsin were the first workers in the field, and Conn's investigation of the bacterial content of the milk supply of Middletown, Conn. was one of the earliest studies of the kind. The dairy bacteriologists of the experiment stations soon focused their attention on cream, butter and cheese, so that until recently the city milk trade has been more influenced by medically trained bacteriologists than by bacteriologists of agricultural experience, but the latter type of man is again becoming interested in city milk supplies and may be expected to be active in the next few years.

Among those having a more general interest, philanthropists stand out prominently. Nathan Strauss, for example, has provided funds for the distribution of pasteurized milk to poor mothers, thereby doing an act of charity and making way for pasteurizing milk by endorsing its use and acquainting the public with it. He has a shoal of imitators, who have made it possible in many different cities to maintain milk stations where good milk can be procured or sick babies at reasonable rates. Other moneyed men, feeling that they could best help by improving methods of production and distribution, have provided funds for elaborate studies in these fields.

With so many interested in the milk problem it was natural that it should be discussed in societies of various sorts. Thus, the American Public Health Association, the International Milk Inspectors Association, the Dairy Instructors Association, the American Association of Medical Milk Commissions, the New York Milk Committee, and a host of similar organizations have been active in formulating methods of laboratory procedure, or in devising score

cards, or in considering methods to protect the dairy business, or in proposing legislation.

Many other forces have been at work, but these seem to be the principal ones; each is powerful, and each has reacted differently on dairying. What each has done, and what may be expected of each may be profitably considered.

The societies have been the center where the differences of experts and questions of policy have been thrashed out, where lines of attack were laid out, and determination to support or oppose proposed legislation was reached. It is not likely that these functions will change or that the influence exerted by the associations will be greatly different from what it now is.

The milk charities too will probably continue as they are, though there will very likely be more of them. They will teach mothers the value of milk and how to use it. The scientific investigations that have been made possible by private gifts may be expected to continue to be of great importance.

Medical milk commissions and the dairies they have certified have been helpful in many ways. In the first place, they have furnished milk that was known to be clean and as safe as raw milk can possibly be. This has been a boon to infants and invalids. They have demonstrated that no amount of care can protect milk absolutely from infection; that raw milk always may be unsafe. They have demonstrated good methods, but they have shown that it is possible to apply such expensive machinery to the dairy business and to impose on it such restrictions that profits reach a vanishing point and thereby have warned the commercial man that so far and no farther can he go. The milk produced by these dairies is a valuable asset to a community but is one that by reason of its cost is available only to the rich, therefore it can solve the milk question for only a few.

Physicians perhaps more than others appreciate the value of pure milk, but their interest has, perhaps, been stimu-

lated by certified dairies. The doctors have contributed valuable papers both from the school and in the medical press. Tuberculosis, pasteurization, and the reduction of infant mortality called forth their best efforts. They have helped locate the cause of epidemics, and have appeared at meetings where questions of milk supply were under discussion. The certified dairies will multiply, but it is hardly to be expected that they will serve a much larger proportion of the communities wherein they operate than they now do. Their influence will be much the same, but the dairy world has absorbed their doctrine and it is unlikely they will add much thereto.

The agitation of the milk question by boards of health has been conducted from the city man's view point; that is, its object has been to secure a low infantile morbidity rate and to protect the populace from those diseases that are spread in milk. A large degree of success has been attained. Incidentally it has been discovered that the milk question has many aspects, that the amelioration of conditions involved is most intricate and touches big investments of capital. The interests expressly affected by the activity of boards of health are those of the dairyman and of the contractor, middleman or distributor, as he has been variously called, but indirectly other large interests such as the railroads are concerned. The position of the boards of health has been difficult, for they have been charged by the farmers with ignorance of farm conditions, by the railroads with imposing impossible orders as regards icing and other matters, and by contractors with the promulgation of regulations that were unnecessary, arduous and expensive. In other words, at times they have had to face the opposition, open and covert, of large financial interests; it is also true that, speaking by and large, these interests want good conditions in the dairy business, and by their cheerful support of regulations of the boards have secured their quick application with a minimum of friction.

In reaching the standards proposed by boards of health both dairymen and contractors have had to introduce costly machinery, improve their plants, and adopt more expensive methods of handling milk. Moreover, the big contractors in order to conduct their business properly have had either to establish systems of inspection and laboratories of their own, or else to have this work done in the large commercial laboratories that are to be found in the great cities. The latter custom has resulted in creating a class of experts who are vigilant to protect their clients' interests and to introduce improvements that will cut down expenses both in the city and the country. It follows that both dairymen and contractors have been drawn into the discussion of dairy problems, and that through granges, milk dealers associations, and other organizations of various sorts they have exerted an influence on the price of milk and on the laws enacted to govern its production and distribution. Boards of health then have had great influence, direct and indirect, which they will probably continue to exert, for they are working in the consumers' interest and have the support of a powerful public opinion; but it is likely that in the future the experimental and inspection work will be checked up more closely than heretofore by other investigators.

The agricultural experiment stations naturally see the farmer's position and, perhaps, only less clearly the contractors. For years station men have been investigating and collecting data on dairying. They know, as no one else does, that the modern dairy farmer has large sums of money invested in his business and that he must be a highly trained man in order to succeed. They appreciate fully that the profits in dairying are not easy and that only careful management can reap them. Consequently, the stations have labored zealously to get dairymen to adopt economical rations, to weed out non-productive or robber cows, to pay attention to breeding, and to be biologically clean, so that the products

may be wholesome and of good flavor, thereby insuring the best market prices. They know that dairying must pay a reasonable profit to be sound, hence the stations have tried to make the dairymen efficient and have protested when regulations have been proposed that sounded good and entailed expense, but yielded no adequate benefit. The work of the stations will grow in importance, for at present it is the hope of improving farm conditions that holds out the brightest prospect for a solution of the milk question.

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State Tax Commissions.—At last we are developing a tax literature strictly of our own. "Made in Germany" is a term no longer applicable to theoretical and practical works on public finance for the use of the American student. We can thank our tax commissions and National Tax Association for this happy deliverance.

In looking over the reports of our permanent tax commissions and tax commissioners, the reviewer is impressed with the six "Firsts" which are now to be added to the list of reports. The six newcomers are Arizona, Colorado, Louisiana, North Dakota, Ohio and Wyoming. The old ones are, of course, Alabama, Connecticut, Indiana, Kansas, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Oregon, Texas, Vermont, Washington, West Virginia, Wisconsin—a total of twenty-three in all.

A gross defect, easily avoidable, found in several of these reports, is the lack of a table of contents or of an index. Indeed Alabama, Indiana, and Wyoming have neither index nor table of contents. Surely in this modern day of scientific report making, these flagrant defects are wholly inexcusable. Another weak point in several reports is the printing of a great mass of statistical matter without comment or explanation. The best re-

ports subordinate the statistical data to a small part of the report, and preferably, to an appendix.

Certain familiar recommendations, so venerable as to be hoary-bearded, are now reiterated in the newer reports. The three chief ones are these: (1) The failure of the personal property tax makes it necessary to end or mend this barbarity without delay; (2) A centralized assessment must be had, if any improvement is to be realized. A state with the county-assessor system even advises that this system be supplanted by a direct state assessment; (3) Constitutional limitations preserve defects in our present system and preclude benefits of other systems.

Among the newer things securing attention and some emphasis, are uniform municipal accounting, tax maps for cities, and a minimum tax on intangibles. These are all sound recommendations. Great interest is being shown in the Wisconsin income tax, although most commissions suspend judgment on it. And for the first time the single tax is receiving serious and impartial treatment.

In my judgment, two reports stand out above the rest in merit, especially for the student in municipal finance. These two are the Wisconsin and the Minnesota report. These deserve specific discussion.

An excellent analysis of the income tax is given in the Wisconsin report. This tax is shown to be urban rather than rural in its incidence. It is clearly a "city tax" and falls most heavily on the largest cities. It is a revenue-producer; is not inquisitorial in operation; and is a very good substitute for the personal property tax.

Chapter six of the Wisconsin report deals with uniform municipal accounting. The act creating the permanent tax commission in 1905 provided that the commission should investigate accounting and financial methods of the towns, cities, villages, counties, and other public

offices, and should formulate and prescribe a uniform system of accounting. This was not done. In 1909 a resolution was passed directing the commission to investigate the question of public expenditures. A volume on state finance was accordingly published. Chapter 523, laws of 1911, required more definitely the formulation of a system of municipal accounting. Such a system is to be installed "at the request of any town, village, city, or county." The system is to be as uniform as practicable. Under this statute the commission has completed and installed a system of public accounting in three counties, four cities and villages, and nine towns, and has audited accounts in three of these cities. Applications are now pending for the installation of a system of accounting in ten additional municipalities, two of which have also requested an audit.

This work is done at the expense of the municipality.

The installation of systems of accounts for counties, towns, and villages and for small cities is comparatively simple. The financial affairs (but not the records) of these districts are usually in excellent condition. "On the other hand," says the report, "the financial affairs and methods of the larger cities have been exceedingly haphazard as a general rule. In many cases the plainest provisions of the statute have been violated with respect to sinking funds and other important financial matters."

The pay-as-you-go spirit is exceedingly pronounced in the country districts. The precise reverse is the common practice in the cities. "Instead of showing a disposition to pay for improvements out of revenues, the common disposition appears to be to borrow for all improvements and frequently to borrow for current expenditures. Thus, while generally speaking, our towns and counties are acquiring fixed property in values amounting to large sums with comparatively little debt to offset them, our cities seem disposed to incur large debts, off-

setting to a very large extent, whatever capital assets the city may own."

"A prime requisite of any accounting system is that there shall be a proper audit of every receipt and of every expenditure by proper officials," says the commission, and yet this check is commonly wanting.

Bonded debt of municipalities is a potential menace. "This debt is growing rapidly and too often bonds are refunded instead of being retired at maturity."

The serial plan of paying bonds is now successfully applied in cases where the state school money is loaned to municipalities. This plan avoids the sinking fund pitfalls.

Chapter twelve of the Minnesota 1912 report (pages 165-180) is entitled "taxation of land values," and contains a remarkably clear and adequate discussion of the tax systems of western Canada. In Canada there are no constitutional restrictions on taxation, and hence tax systems in the various provinces and cities have been worked out to fit industrial conditions. It is the single tax which receives the fullest treatment in this chapter.

Winnipeg derives its public revenue from (1) real estate; (2) business; and (3) franchise taxes. (1) Land is assessed at full value, buildings at two-thirds. (2) The business tax takes the place of a personal property tax, and is levied on the supposed rental value of the buildings.

Saskatchewan cities derive their revenue from (1) real estate, (2) business, and (3) income taxes. Buildings are now taxed, but will not be taxed in a few years. Business taxes are levied at so much per square foot of floor space, the rates being classified (50 cents for sash and door factories, \$8 for banks, etc.).

In Calgary, Alberta, land is assessed at full value, and buildings are to be entirely exempt by 1914.

Edmonton, the capital of Alberta, is the only city of importance in Canada that has adopted the single tax system in

its entirety. A tax of land values alone is the only tax levied in that city. "The city has had a marvelous growth in the past few years," says the report, but whether or not such growth has been due in part to its tax system is a question of some dispute. That it is giving general satisfaction, is evidenced by the fact that nearly every resident of the city is an ardent single taxer.

In Vancouver, B. C., there is a provincial tax on personal property and incomes, but the city itself uses a land tax. It was the first Canadian city to exempt all buildings and improvements. The experiment has been successful.

For Minnesota the conclusions on the single tax, are as follows: To the average owner and occupant of a home or a farm the change would probably not mean much one way or the other. The elimination of personal property taxes however, would undoubtedly add somewhat to the tax burdens of speculators and owners of idle property.

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Housing and City Planning.¹—Fourth National Conference on City Planning.²

In spite of the fact that an increasing amount of attention was paid by the Conference to political, economic and social problems, anyone familiar with the activities of the European cities cannot but feel that the full significance of these phases of city planning is not realized by the experts in this country. It is true that engineering and landscape questions are of large importance, but they are, in the last analysis, matters of technical or aesthetic detail whose solution is not difficult. Of greater significance are the questions of housing, of sanitation and hygiene, of transportation and terminal facilities, the legal

difficulties and many others of a similar nature.

These matters were all discussed to a certain extent by the Conference, and yet the important question of excess condemnation did not receive the attention which it merited. This is especially remarkable, for a careful study of the city planning situation in this country will reveal that it is just this matter which promises to be a real obstacle in the way of future progress in city expansion.

Another question which the *Proceedings* suggest is that of state administrative control, which might be vested in the public service commissions. To be sure, city planning in the United States has not advanced sufficiently to require such control, but this is a factor which should be kept in mind with a view to averting the embarrassing situations in which the cities in other countries have been put.

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Jersey City.³ A report of "Suggested Plan of Procedure," prepared for the Jersey City plan commission differs markedly from many other city planning reports in presenting a comprehensive consideration of all phases of the city's problems. It has been prepared, not by one, but by several experts working constantly together—an engineer, an architect and a social worker. At the beginning of the report are discussed the methods and principles of the work of the experts; and at the close there is a summary of facts and recommendations, with an analysis of the relative importance of various items, from which is worked out an order of inquiry. Such a procedure program seems to offer distinct advantages as a first step in city planning work. It costs comparatively little, and should save a good deal of expense in working out the more detailed items.

¹ See also review of "Recent City Planning Reports," by Charles Mulford Robinson, *NATIONAL MUNICIPAL REVIEW*, vol. II, p. 160.

² See *NATIONAL MUNICIPAL REVIEW*, vol. I, p. 728.

³ See *NATIONAL MUNICIPAL REVIEW*, vol. II, p. 489.

Newark. In a similar report for Newark many of the detailed programs have been carried out, including studies of street traffic, the market problem and the use of the water front. The housing survey and report, by Dr. James Ford, of Harvard University, includes a comprehensive discussion of present conditions, with more specific consideration of proposed legislation, law enforcement, replanning old districts and planning new areas. The conclusions of this report are in favor of a permanent city plan commission for metropolitan Newark, and also for the organization of a permanent housing association or committee, which will create and represent the enlightened public opinion of the community. A similarly comprehensive recreation survey was in charge of Dr. Seymour Barnard of the Parks and Playgrounds Association of Brooklyn.

Housing Bibliography. The Chicago School of Civics and Philanthropy has published a valuable bibliography of housing problem literature in central Chicago libraries. This was prepared in anticipation of the housing exhibition at the City Club during the month of March.¹ The lists of titles are classified under the following heads: Bibliographies, periodicals and collections, general works on housing and related subjects, city planning and garden cities, public regulation of housing and city planning, hygiene of towns and houses, architecture of tenements and small residences, land question as it affects housing and garden patches.

Street Improvements in Chicago. The committee on down town streets of the Chicago Association of Commerce has published *A Brief List of Suggestions to Public Improvement Associations*, by Louis A. Dumond, engineer of the committee. This calls attention to the opportunities of local improvement organizations, the importance of maintenance of street pavements, adequate street lighting, and the cleaning of

streets, back yards and vacant lots; and discusses more fully some details of paving construction, with reference to different kinds of paving materials.

New York Freight Terminals. A brief report with maps, showing plans for freight terminal systems at South Brooklyn and West Side Lower Manhattan, was submitted by Calvin Tomkins, Commissioner of Docks of New York City, under date of September 12, 1912.



Financial Reports.—The annual report of the New York City department of taxes and assessments, for the year ending March 31, 1912, besides the usual statistics and comparative statements for a number of years, includes two appendices—one on factors of value of new buildings and explanation of land value maps, and one on the taxation of personal property in the state of New York.

The fortieth annual report of the commissioners of accounts of New York City, for the year 1912, illustrates the value of these officers to the mayor in his administrative control of municipal officers, in the regulation of departmental accounts and methods and also in reports on sundry other matters. The efficiency staff, organized in 1911, has been conducting an investigation into conditions in the office of the president of the borough of Queens. In addition to the regular examination of receipts and disbursements, special examinations were made on a variety of subjects, including billboard advertising, public charities, municipal ferries, probation officers and theft of supplies.

Report No. 4 of the Baltimore, Md., bureau of state and municipal research presents a discussion of balance sheets for the city of Baltimore for 1911 and 1912, with exhibits showing the status of loan and income funds.

The report of Comptroller Taussig of St. Louis, for the year 1911-1912, includes, in addition to a summary report, detailed statements of the funded debt, the financial transactions for 1911-1912,

¹ See NATIONAL MUNICIPAL REVIEW, vol. II, p. 497.

estimates for 1912-1913, and a list of exhibits presenting comparative financial statements for a series of years.

The report of the city auditor of Los Angeles, for the year 1911-1912, in addition to the data for that year, includes comparative tables of receipts and disbursements for five years and also a number of tables of miscellaneous information relating to Los Angeles and its municipal government.

A novel and commendable practice, inaugurated by the comptroller of Schenectady, N. Y., is the publication of brief financial reports during the course of the fiscal year. On July 1, 1912, a report was issued showing budget expenditures compared with allowances for the first six months of the fiscal year; and in October of the same year a report was published showing the activities of the department from January 1.



Civil Service Reform.—The proceedings of the annual report of the National Civil Service Reform League, held at Milwaukee, Wis., December 5 and 6, 1912, includes the report of the joint committee of this League and the National Municipal League on the selection and retention of experts in municipal office, and a paper on methods of removal in the Chicago and Illinois services by Robert Catherwood and William B. Hale.

The seventeenth annual report of the board of city service commissioners of Milwaukee, Wis., contains a copy of the city service act, the rules of the commission and the statistical report of the chief examiner and secretary. The report of the commission covers less than half a page; and the principal statements are that the department has been conducted on a business basis and that the board has worked harmoniously and with impartiality.

The tenth annual report of the civil service department of Los Angeles, Cal., also presents statistical data, some correspondence and official opinions, charter

provisions, civil service rules and a list of the positions in the city service.

The annual report of the board of civil service commissioners of New Orleans, La., notes that the new commission government law for that city does not disturb "the organic principles" of the civil service law. The report also includes financial and other statistics, the civil service law and rules, instructions to applicants and specimen examination papers.

All of the three foregoing municipal reports indicate a purely routine and mechanical performance of the work of such commissions; and there is nothing to indicate the effectiveness of the merit system or its results in the municipal service.

The efficiency division of the civil service commission of Chicago has published an outline report of its work from 1909 to 1912, under such headings as segregated appropriations and expenditures, standardized employment and uniform salaries, effective organization and efficiency control and departmental inquiries. With this is printed an analysis of employment and departmental organization charts for the city of Chicago, as of March 1913.



Social Service.—*Municipal Charities in Philadelphia.* With the advent of Mayor Blankenburg's administration in Philadelphia, and with the approval of the mayor, a committee on municipal charities was formed, consisting of more than one hundred citizens for the purpose of endeavoring to secure a release for the city from contracts for two charitable institutions and to prepare a reasonably comprehensive plan for the development of the city's institutions. This committee was organized with an executive committee and eleven sub-committees on various classes of dependents. Under date of February 3, 1913, this committee has issued a report, with a series of sub-committee reports, which embody a survey of the city's existing system of char-

ities, the various groups of dependents, and recommendations for a more comprehensive system of dealing with the respective classes of dependents. These recommendations include changes in the administrative organization of municipal charities and a revised classification of institutions and of beneficiaries of such institutions.

Virginia. The fourth annual report of the Virginia state board of charities and corrections is published under the title "Social Service in Virginia." It includes an account of the administration of the state charitable and correctional institutions and also of county and city institutions, with statistics and recommendations.

The proceedings of the Virginia Conference on Charities and Corrections, held at Danville, January 26-28, 1913, includes papers on municipal health departments, the city housing problem, and the work of the Richmond juvenile court.

Seattle, Wash. The annual report of the juvenile court for 1912 has been published in a small booklet, with a report on the clinical classification of delinquent children according to causative pathology.



Park Reports.—*Chicago.* The public parks in Chicago are administered by several distinct authorities, mutually independent of each other. One result of this situation is the lack of any comprehensive report of the park facilities as a whole, and a marked contrast in the style and effectiveness of the reports of the different park authorities. The forty-fourth annual report of the West Chicago park commissioners is an elaborate and expensive publication, printed on heavy calendered paper, with numerous illustrations. The report of the special park commission, appointed under the authority of the council, is much less expensive, but is a well printed pamphlet with several good illustrations, giving a

satisfactory account of the small parks and playgrounds under the control of this commission. The Lincoln park commissioners publish only a small leaflet presenting a financial summary, but with no information as to the operation or development of this portion of the Chicago parks.

Detroit. The twenty-third annual report of the department of parks and boulevards is also an illustrated pamphlet printed on good paper, including both financial statements and information as to the management and development of the park system. Special attention may be called to the increased attention to the care of street trees, the inauguration of an automobile service to Belle Isle (the principal city park) and a financial summary by years since the establishment of the department.

The Pennsylvania Chestnut Tree Blight Commission has published two bulletins on the chestnut blight disease and the treatment of ornamental chestnut trees affected with the blight disease.



Water Supply.—*Illinois.* The proceedings of the fifth meeting of the Illinois Water Supply Association is a substantial volume of 277 pages, containing some forty papers on various problems connected with public water supplies. The association includes both municipal water works and private companies, and the secretary is the director of the state water survey. The meeting was held at the University of Illinois, March 11 and 12, and among the papers the following may be noted: "Legal Aspects of Financing Municipal Water Works," by E. V. Orvis, commissioner of public property, Waukegan, Ills.; "Vital Statistics and Water Supplies," by Paul Hansen, state water survey; and the "Appraisal of Water Works Properties," by Douglas A. Graham, consulting engineer, Chicago. Other papers dealt with a variety of technical engineering and sanitary problems, and with local condi-

tions in a number of Illinois cities, such as Moline, Rock Island, Rockford, Pana and Danville.

Industrial Water Charges. The bureau of water in the Philadelphia department of public works has been publishing a water supply educational series of booklets. No. 2 is a study of industrial water charges, dealing principally with charges in excess of \$200. This presents the facts of the existing situation without suggesting improvements; but it is hoped that the study of these data will lead the city towards a more equitable system of levying water charges on industrial plants and other large water users.



Reports of Civic Associations and Educational Institutions Received.—Portland, Ore. Municipal Association, for year ending September 30, 1912.

Tax Association of Alameda County (Cal.) Suggestions for Consideration in Preparing a Charter for Alameda County. February, 1913.

The Civic League of St. Louis: Eleventh Year-Book, 1911-12.

Massachusetts Civil Service Association: Report of the Executive Committee, Boston, 1912.

Citizens' Federation of Hudson County, N. J.: First Annual Report of the Secretary, May, 1912-May, 1913; The New Jersey Legislature of 1913.

City Club of Chicago: Annual Reports of Civic Committees, 1912-13, in the *City Club Bulletin*, June 28, 1913.

National Consumers League: Thirteenth Report, for the year ending January 19, 1912.

Fairmount Park Art Association: Forty-first Annual Report of the Board of Trustees, 1913.

Commission of Fine Arts: Message from the President Transmitting Report for the Fiscal Year ending June 30, 1912.

Training School for Public Service, conducted by the New York Bureau of Municipal Research: Annual Report, 1912.

Chicago School of Civics and Philanthropy: Alumni Register, 1903-1913; Summer School, 1913.



Central Purchase and Distribution of Supplies.—Under date of March 15, 1913, Comptroller Prendergast of New York City presented to the board of estimate and apportionment a report submitting a plan of a proposed system for the central purchase and distribution of supplies for the city, with copies of the forms necessary to carry the system into effect. The detailed plan was prepared by W. Richmond Smith, with the cooperation of experts in the department of finance. This plan was developed from that of the Canadian Pacific Railway, which purchases four times as much as the city of New York.

There are in the city government of New York one hundred and twenty different departments, bureaus and offices vested with the power to purchase supplies. The proposed plan contemplates the centralization of the purchase of all supplies through a general purchasing agent, and their distribution to the various offices from a general city storehouse, operated as a clearing house for all except perishable supplies and coal, wood and forage.¹



Government Bulletins.—Various bureaus of the United States government issue from time to time bulletins of information and advice on municipal problems. Public health Bulletin No. 54, issued by the U. S. Public Health Service, gives an analysis of the laws and regulations of the various states on the organization, powers and duties of health officers. This traces briefly the historical development, and describes more fully the present organization of state and local health authorities. An appendix contains the text of the various state and

¹ See NATIONAL MUNICIPAL REVIEW, vol. II, p. 221.

territorial health laws, and head notes of judicial divisions relating to such laws.

Circular 185 of the Bureau of Animal Industry gives a brief account of state and municipal meat inspection and municipal slaughter houses.

Bulletin 49 of the Bureau of Mines is a discussion of city smoke ordinances and smoke abatement in the United States, by Samuel B. Flagg.



Public Lectures in New York City.—

The report of Supervisor Henry M. Leipziger on the public lectures given under the direction of the department of education of New York City shows that in the year 1911-12, these lectures were given at 174 centers, to 5573 audiences, aggregating an attendance of 1,000,190. The report gives in detail the list of lecture centers, a classified list of lectures and examination questions. The various lectures are grouped in four main divisions: literature, history, sociology and art; general and applied science; descriptive geography; and lectures in foreign languages (Italian, Yiddish and German). In the sub-division of social subjects are several series of lectures on municipal topics, notably on municipal courts and the work of various departments of city administration.



Wisconsin Fire Insurance Investigation.—A joint committee of the Wisconsin legislature of 1911 has submitted a report of an investigation of fire insurance with recommendations for changes in the laws. The investigation and report deal with the principles of fire insurance, fire insurance companies, the policy contract, rates and methods of rate making, methods and expenses of the business, fire prevention, supervision and state insurance. The recommendations are summarized under thirty-three heads and fifteen bills are submitted. The most important recommendations are for the review of fire insurance rates by the

insurance department, the consolidation of the fire marshal and oil inspector with the insurance department, and a legislative committee to prepare a state building code and city planning law.



Schenectady Contract Specifications.—

The bureau of engineering of the Schenectady, N. Y., department of public works has issued a pamphlet of 56 pages containing detailed information in regard to contracts for paving in that city. This includes instructions to bidders, form of proposal, form of contract and specifications, for paving and incidental work. These are significant because prepared by the Socialist administration of this city. The commissioner of public works recommends that a guarantee bond be not required, holding that under the new form of contract good pavements can be secured by proper inspection and supervision, and that a guarantee is superfluous and an added expense with no added value.



Special Libraries.—Recent numbers of *Special Libraries* contain the following bibliographical lists bearing on municipal problems.

February, 1913: Select List of References on Fire Prevention; Public Utility References.

March, 1913: Selected References on Markets and Marketing.

April, 1913: List of Uniform Accounts formulated by companies, associations and state commissions.

May, 1913: Select List of References on Scientific Management and Efficiency, Subdivision on government.



Sewage Disposal in New York.—No. 6 of the preliminary reports of the metropolitan sewerage commission of New York is a study of the collection and disposal of the sewage of the lower Hudson, lower East River and Bay division. No.

7, in the same series, presents the critical reports of the Dr. Gilbert J. Fowler of Manchester, England and Mr. John D. Watson of Birmingham, England on the projects of the metropolitan sewerage commission. This agrees in advocating the construction of main drainage channels to carry off the main sewage of lower New York into the Atlantic Ocean.

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Cleveland Street Railways.—A pamphlet entitled "The Essentials of Street Railway Regulation in Cleveland" has been issued from the office of the city street railroad commissioner of that city. This contains a digest of the provisions of the ordinances under the terms of which the surface lines of Cleveland are operated, with summarized monthly re-

ports of the Cleveland Railway Company, and a skeleton statement of the street railroad commissioner's control over the expenditures of the company.¹

*

Suppression of Noise.—A paper on the "Suppression of Unnecessary Noise," by Edward S. Morse of Salem, Mass., read under the auspices of the Ninth International Otological Congress, in Boston, August 14, 1912, has been republished in pamphlet form.

The Bulletin of the Medical and Chirurgical Faculty of Maryland for January, 1913, is devoted to the anti-noise crusade, which has been actively undertaken by the anti-noise committee of the Baltimore City Medical Society.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 630.

DEPARTMENT OF REPORTS AND DOCUMENTS

II. BIBLIOGRAPHICAL¹

EDITED BY MISS ADELAIDE R. HASSE

Chief of the Division of Documents, New York Public Library

AMERICAN CITY BUREAU. Selected list of municipal and civic books. 1913. 56 p. 8°. Np.

Gratis. Address: 93 Nassau street, New York City.

AMSTERDAM, NETH. Amsterdam in demographisch en hygiënisch opzicht. 1913. 64 p. 4°. Np.

No. 43 of the Statistical Communications of the Bureau of Statistics of the city of Amsterdam. A reproduction of the charts exhibited by the Bureau at the International Exposition at Ghent. An exceedingly useful publication as it is not confined to Amsterdam but includes comparative graphs relative to the demography of the larger European cities. Price fr. 0. 50 the copy.

BERLIN, GERMANY. Berliner Jahrbuch für Handel und Industrie. Bericht der Ältesten der Kaufmannschaft von Berlin. Jahrg. 1912. Bd. 2. ix, 639 p. 8°. Np.

There is no better source for information on economic and industrial conditions of Berlin.

BRÜNN, AUSTRIA. Summarischer Bericht der Handels und Gewerbekammer in Brünn über die geschäftlichen Verhältnisse in ihrem Bezirke während des Jahres 1912. vi, 258 p. 8°. Np.

¹ By arrangement with the Chicago School of Civics and Philanthropy and the St. Louis Municipal Reference Branch of the Public Library, the libraries of those cities will hereafter coöperate in the compilation of the bibliography printed in the National Municipal Review. The task of assembling the Chicago material has been undertaken by Miss Renée B. Stern of the Chicago School of Civics and Philanthropy. Mr. A. L. Bostwick of the St. Louis Municipal Reference Branch will assemble the material for St. Louis. The symbols attached to titles in the bibliography indicate the libraries which have reported the receipt of the title.

Explanation of Symbols

Cc, Chicago, City Club Library
Cj, Chicago, John Crerar Library
Cm, Chicago, Municipal Library
Cp, Chicago, Chicago Public Library

Cs, Chicago, Chicago School of Civics and Philanthropy
Np, New York City, New York Public Library
Sp, St. Louis, St. Louis Public Library.

In this connection it may be well to state that it is not the intention to include titles of annual reports in the Bibliography, except in special instances. An annual report issued for the first time will always be included, as well as one issued in a changed form, as, for instance, in this issue the report of the Beloit Industrial School Board and the Los Angeles Housing Commission. An annual report containing unusual features will also be noted, as was in the last issue, the Portland, Oregon, Park Board annual report.

CHICAGO ASSOCIATION OF COMMERCE. A brief list of suggestions to public improvement associations, from the committee on down town streets of the Chicago Association of Commerce, by Louis A. Dumond, engineer of committee. 1913(?) 55 (1) p. 8°. Cj; Cs.

CITIZEN'S FEDERATION OF HUDSON COUNTY, N. J. Citizens Bulletin no. 5. Report of the legislative activities of the Federation. The New Jersey Legislature of 1913. 32 p. 8°. Np.

Among the important measures affecting municipal government and which were either drafted or approved by the Federation is the Kerwin bill providing for a commission of five mayors to report on an administrative code for the municipalities of New Jersey and the Porter bill permitting any municipality to adopt as an alternative to the commission government plan, the city manager plan.

CITY CLUB OF CHICAGO. The City Club Bulletin. Cc; Cj; Cm; Cp; Cs; Np; Sp.

Vol. 6, nos. 9-11, June 9-July 23, 1913. 167-238 p. 8°.

No. 9, p. 175-182. Non-partisan election of municipal officers.

No. 11, p. 215-221. The railway terminal problem in Chicago.

No. 11, p. 229-238. The noise problem in Chicago.

CITY CLUB OF MILWAUKEE, WIS. Activities of the City Club of Milwaukee during the fiscal year ending May 27, 1913. 19 p. 8°. Cs.

DAYTON, O. Bureau of municipal research. Organization and administration of the department of health of Dayton, O. 97 p. 8°. Np.

FUNK, N. R. Pictorial history of the great Dayton flood. March 25, 26, 27, 1913. 63 p. illus. 8°. Cs.

Four pages of text giving data of conditions.

HAMBURG, GERMANY. Hamburg's Handel im Jahre 1912. Sachverständigen Berichte, herausgegeben auf Veranlassung der Handelskammer. 129 p. 8°. Np.

HOAG, C. G. The representative council plan of city government. 1913. 12 p. 8°. Cp.

American Proportional Representation League pamphlet no. 2, April, 1913.

KRISTIANIA, NORWAY. Beretning om Kristiania handel, industri og skibsfart; året 1912. Utgit på foranstaltning av børs- og handelskomitéen. 1913. 67 p; foldg. diagr. 8°. Np.

LOS ANGELES, CAL. Municipal League. Efficiency in Los Angeles city government. August, 1913? 11 p. 8°. Cc.

NEW ORLEANS, LA. An act to provide a commission form of government for the city of New Orleans. 46 p. 8°. (Act no. 159, senate bill no. 206.) Cm.

NEW YORK CITY. Municipal year book of the city of New York. 1913. 190 p. 8°. Np.

Prepared under the direction of Robert Adamson, secretary to the mayor. The first year book issued for New York City.

RICHMOND, VA. Chamber of Commerce. Richmond, Virginia, yesterday and today. 1913. 69 p. 8°. illus. Np.

Issued jointly by the city and the Chamber of Commerce.

SASKATCHEWAN. Department of municipal affairs. Annual report [fifth] for the financial year ending February 28, 1913. 106 p. 8°. Np.

STOCKHOLM, SWEDEN. Stockholms Kommunalkalender för år 1913. Årgang 7. 433 p. 2 maps. 8°. Np.

— Minnesskrift vid Stockholms stadsfullmäktiges femtioårsjubileum den 20 April 1913. Stockholm, 1913. 223, viii, viii, 139 p. plates. 3 maps. f°. Np.

A beautiful volume, being a fifty year summary of the civic history of Stockholm.

WILLIAMS, EDWARD T. The commercial development at Niagara, 1805-1913. 9 p. narrow 4°. Np.

Address: E. T. Williams, Industrial Agent, Niagara Falls, N. Y.

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"Bibliography," p. 3, 24-26.

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CHATTANOOGA, TENN. Building code. 1913. 131 p. 8°. Np.

NEW YORK CITY. Text of the proposed building code for New York City. (City Record. July 17, 1913, p. 7027-7045.) Np.

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Ordinances relating to special subjects are classed with that subject; see, for instance, "Building Construction," "Public Health," etc.

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CLEVELAND, O. Proposed charter for the city of Cleveland. Prepared and proposed by the charter commission. July 1, 1913. 80 p. 8°. Np.

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One map in pocket. Map is a "Bauzonenplan" of Frankfurt, i.e. a map showing respectively the residence and factory districts, the suburban quarters, etc.

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Text of ordinances no. 1-144.

STRAITS SETTLEMENTS. The municipal ordinance 1913. Ordinance no. 8 of 1913. 163 p. 8°. Np.

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DELHI, INDIA. Town planning committee. Report (1-2 and final) on choice

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First report. On choice of a site for the new imperial capital. 9 pp., 2 maps. Price 1s. 2d.

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JERSEY CITY, N. J. Addenda memorandum to report of suggested plan of procedure for city plan commission. City of Jersey City, N. J. By E. P. Goodrich and Geo. B. Ford. Issued May 1, 1913. 33 p. 4°. Np.

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WACKER, C. H. Creating a world-famous street; argument of C. H. W., chairman of the Chicago plan commission in behalf of widening and extending Michigan Avenue to properly connect the north and south sides of Chicago; with ordinance for same, detailed drawings and estimate of cost as prepared by the board of local improvements of the city of Chicago. 1913. 57 p. 8°. Cm.

— Gaining public support for a city planning movement being an address delivered before the fifth conference on city planning, Chicago, May, 1913. 16 p. 8°. Cp.

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NEW YORK CITY. Board of city magistrates (second division). Annual report for the year ending December 31, 1912. 229 p., 1 leaf, 14 plates. 8°. Np.

The report was not issued until June 1913. The second division comprises the boroughs of Brooklyn, Queens and Richmond. The report includes among others reports of the magistrate presiding in the domestic relations court, and of the chief probation officer. There are general tables summarizing the work of the Court from 1898 and detailed tables from 1902.

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—State of Illinois. Primary election laws. February, 1913. 61 p. 8°. Cs; Np.

—City council. A bill for non-partisan elections for municipal offices, transmitted to city council by Carter H. Harrison, mayor, on February 6, 1913, concurred in by city council March 31, 1913. 24 p. 8°. Cm.

CITY CLUB OF CHICAGO. Non-partisan election of municipal officers. Discussion by Kellogg Fairbank, Hon. John P. McGoorty, Ald. William F. Lipps, Hon. John O'Connor, Hon. William E. Dever, Hon. Medill McCormick and Hon. Morton D. Hull, 1912-1913. June 9, 1913. p. 175-182. (City Club Bulletin, vol. 6, no. 9.) Cc; Cj; Cm; Cp; Cs; Np.

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Finance

BALTIMORE, MD. Bureau of State and municipal research. Np.

Report 2. The Baltimore budget. Part 1. A study of the ordinances of estimates from 1900 to 1913. January 18, 1913. 5 p., 6 plates. 4°.

Report 3-4. Not seen.

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COOK COUNTY, ILL. Appropriation bill for 1913. 37 p. 16°. Cm; Np.

DAYTON, O. Bureau of municipal research. Appropriations for the fiscal half year ending December 31, 1913. 30 p. 8°. Np.

MASSACHUSETTS. Bureau of statistics. Report of a special investigation relative to the sinking funds and serial loans of the cities and towns of the commonwealth. March 5, 1913. 25 p. 8°. Np.

This is one of a series of special reports on municipal finance recently issued by this Bureau; viz. Outstanding indebtedness of certain cities and towns of Massachusetts. March, 1911. 34 p. (Its municipal Bulletin 4.) Report of a special investigation relative to the indebtedness of the cities and towns of the Commonwealth. April 15, 1912. 286 p.

In January, 1913, the commonwealth issued "Report of the joint special committee on municipal finance." 103 p. 80°.

NEW YORK CITY. Department of finance. Semi-annual financial sum-

mary. June 30, 1913. xi p., 25 folios. 8°. Np.

The fourth number of this publication. This number covers the financial operations of the city for the first six months of 1913 and contains, besides, many comparative tables covering a series of years.

ST. LOUIS, Mo. Special report of the comptroller of the city of St. Louis for the first four months of the fiscal year 1912-13, compared with similar periods of 1913-14. 1913. Sp.

Valuable figures regarding assessed valuation and taxation in St. Louis are brought together in convenient form.

Fires

FIRE APPARATUS FIGURES. Horse-drawn, automobile and hand apparatus. Amount of each kind in each of six hundred American cities. (Municipal Journal. August 28, 1913, p. 277-294.) Cc; Cp; Cm; Np; Sp.

STOCKHOLM, Sweden. Berättelse angående Stockholms stads brandväsen jämte översikt av brand- och ambulansstatistiken för år 1912. Årg. 37. 43, 19 p. plates. 4°. Np.

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ANSIEDLUNGS-VEREIN Gross-Berlin. Vierter Jahresbericht, 1912-13. 8 p. 8°. Np.

An association of specialists organized to promote housing reform and general civic improvement in greater Berlin. The present chairman is Dr. R. Kuczinsky, well known as the director of the statistical bureau of Schöneberg as well as the author of important economic works.

BRYCE, RT. HON. JAMES. The menace of great cities. June, 1913. 17 p. 8°. Np.

A plea for better living conditions, housing betterment, more open spaces, etc. National Housing

Assoc. Publications. No. 20. Price, 5 cents the copy.

CHICAGO, ILL. City Club. City Club housing exhibition, April 25 to June 1, 1913. Guide to the exhibition. Chicago, 1913. 55 p. 8°. Cm; Cs; Np.

FORBES, ELMER S. Rural and suburban housing. June, 1913. 10 p. 8° Cc; Cp; Cs; Np.

National Housing Assoc. Publications. No. 21. Price 5 cents the copy.

FRANKFURT a. M. West- und nord-westlicher Bezirksverein. Mitteilungen No. 17. January, 1913. 12 p. 4°. Np.

Contains text of addresses respectively by the Stadtrat Dr. Hermann Luppe on building ordinances and building projects, and by the Justizrat, Dr. Fritz Meyer, on regulation of mortgages.

GOODRICH, E. P. and GEORGE B. FORD. Housing report to the city plan commission of Newark, N. J. 1913. 75 p. illus. 8°. Np.

LOS ANGELES, CAL. Report (fourth) of the housing commission of the city of Los Angeles, July 1, 1910, to March 31, 1913. 66 p. illus. 8°. Np.

The Los Angeles housing commission was abolished on May 3, 1913. Henceforth it will be a bureau of the health department, with greatly increased powers. The previous reports of the commission collate as follows:

1. 1908/8. Feb. 20-June 30. 1908. 31 p. illus. 8°.
2. 1908/9. July 1-June 30. 1909. 29 p. illus. 8°.
3. 1909/10. July 1-June 30. 1910. 28 p. illus. 8°.

NATIONAL HOUSING ASSOCIATION. Housing Betterment. vol. 2, no. 2. July, 1913. 19 p. 8°. Np.

A news issue. Previous issues are as follows: v. 1, no. 1. February, 1912. 4 leaves. v. 1, no. 2 September 1912. 15 p. v. 2, no. 1. March, 1913. 15 p.

— Publication No. 19. "There ain't no law." June, 1913. 32 p. illus. 8°. Cc; Cp; Cs; Np.

A pamphlet used during the recent campaign to secure a housing code for the six New York State cities of the second class, viz., Albany, Schenectady, Syracuse, Troy, Utica and Yonkers. These cities banded together under the guidance of the National Housing Association. The result was the best housing code yet enacted. It became a law on May 31, 1913, and constitutes chap. 774 of the Laws of 1913.

NORRIS, GEORGE W. The housing problem in Philadelphia. A lecture delivered in the Catholic Summer School Extension Course, Philadelphia, March 3, 1913. 30 p. 8°. Np.

No. 2 of the Catholic Summer School Extension Lectures.

PHILADELPHIA, PA. Housing commission. Second annual report for the year ending December 31, 1912. 31 p. 8°. Cc; Np.

There is a notable paragraph on p. 13, dealing with the question of improvements and rent. The statements there made are interesting in that it is commonly believed that the improvements forced by housing reformers inevitably lead to higher rents.

SAN FRANCISCO, CAL. Housing Association. Second report. June, 1913. 32 p. 8°. Cs; Np.

WHITE, ALFRED T. The effect of a housing law. June, 1913. 6 p. 8°. Cc; Cp; Cs; Np.

National Housing Association Publications. No. 22. Price, 5 cents the copy. Address 105 E. 22d street, New York City.

Motion Pictures

BARTHOLOMEW, ROBERT O. Report of censorship of motion pictures and of investigation of motion picture theatres of Cleveland. 1913. 32 p. 8°. Np.

Filed with council of city of Cleveland April 7, 1913. Address: R. E. Collins, city clerk, Cleveland.

Municipal Art Commissions

PHILADELPHIA, PA. Art jury. Second annual report, 1912. 45 p. illus., 1 foldg. plate. 8°. Np.

Established under Act of May 25, 1907. The approval of the art jury is required before any work of art may become the property of the city. Designs for public buildings, parks, street fixtures, etc. etc. may be submitted to the jury. The jury was appointed on October 7, 1911 and at the time of its first report, viz., February 5, 1911, ten submissions had been made. During the calendar year 1912, 67 submissions were made to or considered by the jury.

Municipal Banks

PRAGUE, BOHEMIA. A report on the city savings bank of Prague for the year 1912. 42 p. 4°. Cm.

Municipal Lodging Houses

VIENNA, AUSTRIA. Das Asyl- und Werkhaus der Stadt Wien. 1913. 27 p. illus. 8°. Np.

Historical account of the municipal refuge.

Noise Abatement

NANCE, DR. W. O. The noise problem in Chicago. Address before the City Club of Chicago, June 17, 1913. p. 229-238. (City Club Bulletin, vol. 6, no. 11.) Cc; Cj; Cm; Cp; Cs; Np.

Parks

GREAT BRITAIN. Regent's Park enclosures. Papers relating to the enclosures in Regent's Park. 1913. 64 p., 3 maps. f°. Np.

Price 1s. 3d. the copy.

UNITED STATES. District of Columbia committee (senate). The improvement of the park system of the District of Columbia. 1913. 27 p., 20 plates. 8°. (63d congress, 1 session, sen. doc. 16. Cp; Np; Sp.

An abridgment of an earlier document, viz., Sen. report 166, 57th congress, 1 session, compiled by Charles Moore and published in 1902. The present abridgment is made by George H. Gall, of Washington, D. C. Much of the detail of the earlier report is omitted in this volume. On the other hand many projects recommended in the earlier volume have been completed and are described in this volume. The plates relate particularly to the Lincoln Memorial and the possibilities of the Rock Creek development.

Pensions

NEW YORK CITY. Commissioners of accounts. Report on the pension system of the city of New York. Submitted May 27, 1913. 12 p. 8°. Cm; Np.

Police

CHICAGO, ILL. Civil service commission. Book of instruction to applicants for the position of patrolman in the department of police, city of Chicago. [n.d.] 64 p. 16°. Cp.

COPENHAGEN, DENMARK. Police regulations of the city of Copenhagen, March, 1913. 1913. 71 p. 16°. Cm.

DUBLIN, IRELAND. Metropolitan police board. Statistical tables of the Dublin metropolitan police for the year 1912. vii, 33 p. f°. Np.

Issued annually since 1894. Sold by H. M. Stationary Office, London. Price of 1912 report 4½d.

GREAT BRITAIN. Home office. Police weekly rest day. Return showing to what extent steps have been taken by various English cities for putting into force the provisions of the police (weekly rest day) act, 1910, and the estimated cost thereof. 1913. 5 p. f°. Np.

Price 1d. the copy.

NEW YORK CITY. Report of the special committee ("Curran committee") of the board of aldermen appointed August 5, 1912, to investigate the police department. Submitted June 10, 1913. 147 p. 4°. Cp; Np.

PHILADELPHIA, PA. Bureau of police. Patrolman's manual. Issued by the department of public safety. 1913. 231 p. 8°. Np.

Port Development

CHICAGO, ILL. Citizens' Association. Report regarding the so-called Kleeman bill, now pending in the state senate providing for the construction of an enormously expansive inland harbor in Lake Calumet by the Sanitary District of Chicago. May 12, 1913. 4 p. 8°. Cm.

CLEVELAND, O. Reports of the Cleveland river and harbor commission on the improvement of Cuyahoga River. March, 1913. 28 p., 1 map. 8°. Np.

NEW YORK STATE. Report of the commission to investigate port conditions and pier extensions in New York harbor. 1913. 18 p. 2 maps. 8°. Np.

SEATTLE, WASH. Public Library. Harbors and docks. A list of books and references. February, 1913. 40 p. 8°. Np.

TOMPKINS, CALVIN. New York's port problem. Railroad monopoly vs. city control. Argument before the board of estimate and apportionment of the city

of New York. Upon the report of its terminal committee on Manhattan West Side (N. Y. Central) readjustment. May 27, 1913. 15 p. 8°. Cm; Np.

Reprinted by the Reform Club, 9 South William st., New York City.

TORONTO, CANADA. Waterfront development, 1912-1920. 32 p., maps, diags. 8°. Cm.

Public Health

NEW YORK CITY. Department of health. Hand book of information regarding the routine procedure of the division of communicable diseases. 1913. 200 p. 12°. Np.

ST. PAUL, MINN. Anti-tuberculosis committee. Efficiency and next needs of St. Paul's health department. Report submitted by the New York bureau of municipal research and training school for public service. March, 1913. 48 p. 8°. Np.

UNITED STATES. Public health service. Municipal ordinances, rules and regulations pertaining to public health adopted from July 1, 1911, to December 31, 1911, by cities of the United States having a population of over 10,000 in 1910. Compiled by John W. Trask. Washington, 1913. 215 p. 8°. Cp; Np; Sp.

Public Utilities

CHICAGO, ILL. Board of supervising engineers. Reply to an order by Chicago city council for information respecting improvements made under 1907 ordinance in service, operation and equipment of the Chicago Surface Traction Company. July 3, 1913. 35 p. Cc.

— City council. Report of the committee on gas, oil and electric light on the investigation of the Commonwealth Edison Company. Chicago, May, 1913. 113 p. 8°. Cp.

— Civil service commission. Reports on the department of electricity of the city of Chicago. Inquiries conducted by request of Mr. Ray Palmer, city electrician, May 24 to November 29, 1912. Conditions, modifications and

systems in use and organization of the department of electricity. Published July 7, 1913. 40 p. Cc.

DISTRICT OF COLUMBIA. Public utilities commission. Order no. 21. In re regulations for the operation and equipment of street railway cars in the District of Columbia. July 9, 1913. 14 p. 8°. Np.

ELECTRIC LIGHT PLANTS. Data from municipal and private plants in all parts of the country; equipment, operation, finances and rates. (Municipal Journal, August 7, 1913, p. 171-186.) Cc; Cm; Cp; Np.

NEBRASKA. State railway commission. Before the commission. Application no. 1637. Lincoln Telephone and Telegraph Company applicant (for authority to consolidate its exchanges in Lincoln district and to establish rates for service). Findings and order of the commission. 35 p. 8°. Np.

NEVADA. Public service commission. City of Ely complainant vs. Ely Light and Power Company respondent. Opinion and order. Filed June 7, 1913. 14 p. 8°. Np.

NEW YORK CITY. Board of estimate and apportionment. Bureau of franchises. Reports no. 116-122. 4°.

No. 116. April 28, 1913. Upon application of the Union Railway Company of New York City for amendments to contract. 6 p. 1 map. Cm; Np.

No. 117. Upon application of New York Quotation Company for franchise to construct conductors in conduits. May 2, 1913. 15 p. Cm; Np.

No. 118. Upon application of Manhattan and Queens Traction Corporation for two extensions. May 12, 1913. 7 p., 1 map. Cm; Np.

No. 119. Upon application of Bronx Traction Company for franchise to construct a street railway. May 29, 1913. 14 p. 1 map. Cm; Np.

No. 120. Upon application of Long Island Rail Road to construct certain railroad tracks June 2, 1913. 16 p., 2 maps. Cm; Np.

No. 121. Calling attention to excessive expense to applicants for franchises in providing publicity in manner prescribed by sec. 74 of the city charter. June 6, 1913. 7 p. Cm; Np.

No. 122. Upon application of Brooklyn City Railroad company for franchise to construct street surface railway. 14 p., 1 map. Np.

— Resolutions 23-88. 1913. p. 283-569. Np.

NEW YORK STATE. Public service commission (first district). New subways for New York. The dual system of rapid transit. June, 1913. 83 p. plates 8°. Np.

Address: Public Service Commission for First District, 154 Nassau street, New York City.

ST. LOUIS, Mo. Public service commission. Report of the Municipal Assembly on the United Railways Company of St. Louis by the St. Louis Public Service Commission. vol. ii. St. Louis, 1913. 34 p. 3 maps. 27 tables. 34 diagrs. 8°. Cm; Sp.

SALT LAKE CITY, UTAH. Revised ordinances pertaining to water supply and waterworks office, Salt Lake City. In effect July 1, 1913. 28 p. 8°. Np.

UNITED RAILWAYS AND ELECTRIC COMPANY OF BALTIMORE. History and description of property and securities. April 21, 1913. 38 p. 8°. Np.

Published by Alex. Brown and Sons, Baltimore, Md.

WILMINGTON, DEL. Public utility commission. First annual report for the fiscal year ending July 31, 1912. 10 p. 8°. Np.

— Rules and regulations. 1912. 12 p. 12°. Np.

Schools

BELOIT, WIS. Industrial school board. First annual report of the industrial, continuation and evening schools of Beloit for the year 1912-1913. 23 p. illus. 8°. Np.

BERLIN, GERMANY. Schulgesundheitspflege der Stadt Berlin. 1912. 84 p. 24 plates. 8°. Np.

CITY CLUB OF BERKELEY, CAL. Berkeley Civic Club Bulletin. Monthly. vol. 2, no. 1. August 15, 1913. 16 p. 8°. Np.

The entire Bulletin is devoted to a consideration of cooperative industrial education. Sold at 10 cents the copy. The treatment is a practical review of what has been done in American cities to promote industrial cooperation.

Smoke Abatement

NEW YORK CITY. Court of special sessions. Decision in suit of the New York City department of health against the New York Edison Company for infraction of section 181 of the sanitary code prohibiting the discharge of dense smoke. Cm; Np.

An extended quotation of the decision is printed in the weekly bulletin of the health department of New York City of July 19, 1913.

— Department of health. The smoke problem in New York. (Monthly bulletin of the department of health. April, 1913. vol. 3, no. 4, p. 79-108.) Cm; Np.

PITTSBURGH, PA. The history of the smoke nuisance and of smoke abatement in Pittsburgh. Cm.

Reprinted from the *Industrial World*, Pittsburgh, March 24, 1913.

UNIVERSITY OF PITTSBURGH. Department of industrial research. Outline of the smoke investigation. August, 1912. 16 p. 8°. Cm; Np.

Bulletin no. 1.

Social Centers

CHICAGO, ILL. Board of Education. Report of social centers in Chicago public schools. Biennial. 1912. 45 p. illus. 8°. Cs.

KANSAS CITY, Mo. Research bureau of the board of public welfare. The social center in Kansas City. June, 1913. 16 p. illus. 8°. Cs; Np.

NEW JERSEY.

The New Jersey legislature of 1913 in passing the Hennessy Bill provided that the board of education of any school district in the state might permit the use of the schoolhouse and grounds for assemblies or the purpose of giving and receiving instruction in any branch of education, learning or the arts, for public library purposes, for holding social, civic and recreation meetings and entertainments approved by the board of education, for polling places, for holding elections and for the registration of voters, and for holding political meetings.

NEW YORK STATE.

By an act to amend the education law (ch. 221, Laws of 1913; passed April 5, 1913) the New York

state legislature made substantially the same provisions for the use of schools as social centers, as does the above cited New Jersey act.

PERRY, CLARENCE ARTHUR. How to start social centers. 40 p. 8°. Np.

Russell Sage Foundation, Department of Recreations, 400 Metropolitan Tower, New York City. Price 10 cents the copy.

Social Evil

See also below "Social Surveys" under Kansas City.

COMMONWEALTH CLUB OF CALIFORNIA, SAN FRANCISCO. Transactions, vol. 8, no. 7. August, 1913. The red plague. Second report. p. 331-430. 8°. Np.

The first report was published by the Commonwealth Club as no. 1, of vol. 6 of its Transactions, issued April, 1911. The present report is concerned chiefly with the question of registration and compulsory examination. As San Francisco affords the only American example of the policy under investigation, it is worthy of note that the conclusions of the report are "that registration and compulsory examination fails appreciably to diminish venereal disease."

Social Surveys

COMMONWEALTH CLUB OF CALIFORNIA. Transactions, vol. 8, no. 5. June, 1913. Public recreation. p. 181-309. 8°. Np.

On December 11, 1911, the executive committee of the Club authorized a survey of the recreational facilities of California cities, and a section was organized for that purpose. After considering the scope of the inquiry the section was divided into committees to investigate the various forms of public recreation followed on the Pacific Coast. The main work of the section was an intensive study of conditions in San Francisco, as a preliminary inquiry showed that the conditions in that city covered all the recreation problems to be found in all the other cities of the coast. There are special reports on public recreational facilities, on refreshment places, on clubs and settlements, on shows, on motion pictures, on dancehalls and on legislation.

CHICAGO, ILL. Fourth Presbyterian Church. A community survey in the twenty-first ward. 1913. Cc; Cj; Cm; Cp; Cs; Np.

Extracted from City Club bulletin, vol. 6, March 13, 1913. p. 86-105. diags.

KANSAS CITY, Mo. Social prospectus of Kansas City, Mo. Published by the

research bureau of the board of public welfare. August, 1913. 104 p. illus. 8°. Cs; Np.

The board of public welfare is the local agency for the administration of the charities and corrections of the Kansas City government. The following departments are conducted by the Board: administrative department, research bureau, social service department, recreation department, factory inspection department, legal aid bureau, welfare loan agency, parole department, department for the homeless and unemployed, woman's reformatory, municipal farm, social workers' institute. The report is a detailed survey of the housing conditions, industries, races, recreations and social evil of the city.

Streets

See also "Grade Crossings."

CHICAGO, ILL. City council. Report of the committee on street nomenclature of the city council of the city of Chicago on a general system of street nomenclature. May 1912. 112 p. 8°. Cm.

PORTLAND, ORE. Department of public works. Classification of street pavements for purpose of regulating competition in contract work. 1913. Np.

Text of the classification is printed in the *Municipal Journal* of August 14, 1913, p. 218.

UNITED IMPROVEMENT ASSOCIATION. Suggested system of main thoroughfares for the city of Boston. February, 1913. 4 p., 1 map. 8°. Np.

Address: 8 Beacon Street, Boston, Mass.

Supplies

BALTIMORE, MD. Bureau of state and municipal supplies. Report no. 5. Institutional supplies. Issued July 21, 1913. 63 (1) p. 8°. Np.

Taxation

CAMBRIDGE, MASS. Taxpayers' Association. Fourth annual report. June 2, 1913. 26 p. 8°. Np.

PHILADELPHIA, PA. Real estate and its taxation in Philadelphia. Questions and answers relating to a proposed system of assessment. Published by the mayor. 1913. 56 p. 8°. Np.

Transportation

CHICAGO, ILL. Mayor. Communication of His Honor Mayor Harrison to the city council of the city of Chicago recommending submission of questions of alternative construction of subways to a referendum vote, June 30, 1913, and drafts of ordinances transmitted therewith. Ordinance for down town subways to be leased to elevated railroads; ordinance for a comprehensive independent system of rapid transit subways. Chicago, committee on local transportation. July 15, 1913. 39 p. 8°. Cp.

— Ordinances. Draft of ordinance for the through routing of elevated trains. May 15, 1913. 8 p., map. 8°. Cm; Cp.

— Union Station Company. A statement concerning the terminal plan now under consideration by the committee of the city council on Railway terminals. [n.d.] June 9, 1913(?) 23 p. 8°. Cc.

CITY CLUB OF CHICAGO. The railway terminal problem in Chicago. Letters of the directors of the City Club and various civic committees to the city council committee on railway terminals and city council of the city of Chicago. June 23, July 7 and July 14, 1913. p. 215-220. (*City Club Bulletin*, vol. 6, no. 11, July 23, 1913). Cc; Cj; Cm; Cp; Cs; Np.

MANCHESTER, ENGLAND. Manchester corporation tramways. Enquiry into the subject of traffic congestion in the central streets of the city. Interim report of the special subcommittee. January, 1913. 33 p., 18 folding plans. 8°. Np.

SIKES, G. C. Recent startling aspects of the Chicago traction question; an address before the City Club. April 25, 1913. 6 p. Cm; Np.

Reprinted from the City Club bulletin.

WILCOX, DELOS F. Report on trolley congestion problem and pending terminal franchise proposals in Newark, N. J. Np.

An extensive report, as yet printed in full only in the Newark, N. J. *Evening News* of July 7, 8 and 9, 1913.

Water Supply

McLAUGHLIN, ALLAN J. Sewage pollution of interstate and international waters with special reference to the spread of typhoid fever. vi. The Missouri River from Sioux City to its mouth. Washington, 1913. 84 p. 8°. Np.

United States Hygienic Laboratory. Bulletin 89. Study of sanitary conditions in Sioux City, Council Bluffs, Omaha, South Omaha, St. Joseph, Atchison, Leavenworth, Kansas City, Kans., Kansas City, Mo., Lexington, Mo., Boonville, Mo., Jefferson City, Mo., Washington, Mo. and St. Charles, Mo.

NEW YORK CITY. Board of water supply. Seventh annual report. Accompanied by report of the chief engineer. December 31, 1912. xiii, 287, xi p. 22 plates. 35 foldg. tables. 8°. Cm; Np.

Issued in July 1913. Relates largely to construction progress of the new Catskill aqueduct.

— Board of water supply. Long Island sources. Reports, resolutions, authorizations, surveys, and designs, show-

ing sources and manner of obtaining from Suffolk County, Long Island, an additional supply of water for the city of New York. 1912. 2 vols. illus. 8°. Np.

UNITED STATES. Committee on public lands. Hetch Hetchy grant to San Francisco. August 5, 1913. 43 p. 8°. (63 congress, 1 session, house report 41.) Np.

The conversion of Hetch Hetchy Valley into a storage reservoir to supply San Francisco with water.

— Hetch Hetchy dams site. Hearing before the committee on the public lands, house of representatives. 63 congress, 1 session. 1913. 2 pts. 373 p. 8°. Np.

WALKER, H. H. Pure water for Chicago. Harbor, drainage and water power solution. June 10, 1913. 12 p. Cc.

WATER PURIFICATION PLANTS. Methods employed in 120 cities. (Municipal Journal, September 4, 1913. p. 318-320.) Cc; Np.

BOOK REVIEWS

IMMIGRATION AND LABOR. By Isaac A. Hourwich. New York: G. P. Putnam's Sons. \$2.50.

THE IMMIGRANT INVASION. By Frank Julian Warne. New York: Dodd, Mead and Company. \$2.50.

These two books, taken together, furnish a dainty morsel to be rolled under the tongue of the man who loves to say, "You can prove anything by statistics." Here are two men writing on the same subject. Both are men of authority, both are expert statisticians, and both are connected with the census bureau. Both use the statistical method. And they arrive at diametrically opposite conclusions.

Dr. Hourwich's book bears all the marks of having been written for a purpose, that purpose being to discourage the rising sentiment in favor of the restriction of immigration, and to combat any practical measures in that direction. It is, withal, in view of this purpose, a

very ingenious, clever and dangerous book. A part of the cleverness is manifested in the expedient of embodying the conclusions which the author wishes to establish in a brief preliminary chapter called a "summary review." The author admits that "such a summary must necessarily be dogmatic in form," but assures the busy reader, for whom it is ostensibly designed, that every proposition here advanced has a demonstration somewhere in the book. Dr. Hourwich can hardly have been unaware of the fact that not one in one hundred of the leisurely readers of his book—not to speak of the busy ones—would take time to analyze carefully the hundreds of pages of closely packed statistical material which follow, to determine whether or not they contain an actual demonstration of the propositions which they are supposed to support. It is a safe assumption that the impressive mass of material—statistical tables, charts, diagrams, and footnotes—will seem to the

ordinary reader a sufficient proof of any conclusions which the author wishes to draw from them. It is because this assumption is grounded in human nature that the book is dangerous.

Let us first take the position of the "busy reader" and see what are the conclusions, contained in the summary review, which the author wishes to impress upon the American public, and incidentally seek to determine whether, even in this first chapter, all the statements are thoroughly consistent and trustworthy.

The author asserts first of all that "it is recognized on all sides that the present movement for restriction of immigration has a purely economic object," and that "the advocates of restriction believe that every immigrant admitted to this country takes the place of some American workman." These statements, which are the author's justification for treating immigration solely on economic grounds, at once challenge denial. One must have read recent periodical literature with a negligent eye, who has not encountered many an argument against unrestricted immigration, based on social and political grounds much broader than the mere competition with the American workman. Thus at the very outset the author's main contention, is weakened. On the next page (page 2) the author states that every objection to the new immigration is but an echo of the complaints which were voiced against the German and Irish immigration when it was new. This is again a misleading statement. The argument of economic competition, which Dr. Hourwich regards as the only one now, was a very minor one before 1860. The early objections to immigration were based on wholly different grounds—religious prejudice, and the fear of pauperism, criminality and disease.

On page 3 we find the sweeping statement that "the only real difference between the old immigration and the new is that of numbers." To any one who has given the slightest attention to immigration statistics—as regards illiteracy,

permanence of residence, distribution, etc.—no refutation of such a claim is necessary.

The next statement, that immigration follows opportunity for employment in the United States is a commonplace, the truth of which has long been recognized. Some of the deductions which the author makes from it, however, do not necessarily follow. The next point of attack is the popular belief that a large proportion of immigrants are imported by capitalists. This is denied categorically and the author asserts that it would be a waste of money for capitalists to induce immigrants when there are so many thousands coming anyway. The real inducers of immigration are the earlier immigrants. Immigrants come when they are needed on account of a shortage of labor in this country. Yet the author recognizes that there is a seeming inconsistency between a shortage of labor and the existence of a large number of unemployed, which is a familiar feature of our economic situation. This difficulty is settled by the assertion that modern industry demands a certain margin of unemployed labor at all but the most exceptional times, and even then there is likely to be some labor unemployed for seasonal reasons. So that it is not fair to assume that if there were no immigration all this labor would find employment. Still, admits the author, it might be said that restriction of immigration would reduce unemployment. This possibility he proceeds to disprove by a comparison with Australia, where emigration is said to exceed immigration; yet Australia has as much unemployment as New York state, with all its immigrants.

This is an excellent example of one of the authors most grievous faults—that of comparing two regions, or two periods of time, with respect to one particular factor, in total disregard of an indefinite number of other factors which might exist in one and not in the other. Unemployment is a complicated matter, and the author's argument would have

weight only in case he could show that every other factor which might affect unemployment differently in one country than in the other had received due consideration. The mere fact that in another country, which in certain respects resembles the United States—and in others differs widely—there may be unemployment without immigration, is absolutely no proof whatever that with less immigration there might be less unemployment here.

The next "widespread belief" considered by Dr. Hourwich is that the new immigration is more inclined than the old to stagnate in the great cities. The truth of this he denies, and asserts that "the immigrants have always preferred to seek employment in the cities." It is undoubtedly true that certain immigrants have always preferred to remain in the cities. Yet the impression, which is apparently meant to be conveyed by this sentence, that there has never been more of a tendency toward the farms on the part of the immigrants than at the present, is a false one. The author himself makes this plain enough in other connections. For instance on pages 15 and 198 (it is expedient at times to depart from the habits of the busy reader) the author states that the Scandinavian immigrants came largely to settle on farms, and on page 191 he speaks of the disappearance of the cheap farm lands in the United States as one of the causes of the decrease in German immigration.

On page 8 the author attributes the movement of native Americans to the cities to the revolution in farming conditions and methods, and the consequent reduction in the demand for farm labor. But on page 36 he says that it is the scarcity of labor on the farms which has retarded the growth of farming.

Other inconsistencies and misleading statements must be passed by hastily to give attention to some of the author's more important arguments. Among these is his curt dismissal of the theory, attributed to General Walker, that immigrants have displaced American popu-

lation by diminishing the native birth rate. Herein lies one of the most serious and inexcusable weaknesses in Dr. Hourwich's book. The truth or falsity of this theory is absolutely fundamental to any correct understanding of the effects of immigration on labor conditions and industry in the United States, and its importance demands a decidedly more careful and critical consideration than Dr. Hourwich gives it. In his summary review he states that the theory "rests on no other foundation than a computation made in 1815." This is a positive error, for the question has been the subject of a vast amount of careful study since then. And the chapter on race suicide, in which the principal consideration of this theory is included, is wholly inadequate. The diminishing birth rate is pointed out as a world phenomenon, and Australia is again cited (Professor Willcox, by the way, always spells his own name with two "I's"). But there is no attempt to compare the rate of decline in the United States with that in European countries, where it might reasonably be expected to be much more rapid, in the absence of some exceptional factor in the United States. A theory, supported by such names as Commons, Hall, Hunter, Bushee, and Rauschenbusch, and of such vital importance to the author's whole argument, should not have been so summarily dismissed.

To disprove the common argument that immigration has lowered the standard of living of the American workingman, the author goes back to the records of half and three-quarters of a century ago, in the effort to show that the conditions of labor are no worse now than they were then. Having demonstrated, to his own satisfaction at least, that they were not, he thereupon makes the deduction that immigration can not therefore have had a prejudicial effect upon them. This is another of the fundamental logical flaws which run all through the book. The author is constantly making comparisons between the present and the comparatively remote past in the evi-

dent belief that if conditions are not actually worse than they were then, or standards lower, there is no ground left for the argument that immigration has injured the workingman. He makes no allowance whatever for the vast improvements in all sorts of working and living conditions which have characterized all civilized countries in the last three-quarters of a century, and which ought to have been realized more fully in the United States than anywhere else. The truth of the matter is that if there has not been a tremendous improvement in the conditions of labor in the United States since 1840 or 1850, there must have been some powerful retarding factor or factors. And there are many comprehensible reasons for believing that at least immigration may have been one of those factors.

This particular fallacy runs all through the author's discussion of wages. Comparisons of wages over different periods or in different places are constantly made in terms of money, without reference to the relative cost of living. Only once or twice in the whole book does the author give evidence of realizing that real wages and not money wages are the only reasonable basis of comparison. In fact, one of the greatest criticisms of the book is the utter absence of any carefully worked out and plainly stated theory of wages. This is unpardonable in a book which deals primarily with the wages question. Nowhere does the author state definitely what, in his opinion, are the determining causes of high or low wages. The nearest that he comes to it is the statement, once or twice repeated, that the willingness of a man to receive a certain wage has nothing to do with the question, but the amount which he produces (page 367). Yet he repeatedly speaks of the willingness of the rural native American to accept low wages as being a determining factor of his wages, and as constituting him a menace to the urban foreigner (pages 371-2, 492).

Dr. Hourwich's main argument on the wages question is as follows: The immi-

grants have not supplanted native workmen, but have filled a shortage in the labor market which the native labor could not supply. Immigration varies inversely with unemployment and does not increase unemployment. Without this supply of foreign labor in times of expansion the material development of the country must have been seriously retarded. Since the immigrants merely supply a demand for extra labor, and do not supplant the natives, they can not cause a reduction in the wage scale. In fact, the employment of a large number of immigrants has generally happened simultaneously with an increase in wages. During the period of the new immigration trade unions have flourished and the working day has been shortened.

At this point the author recognizes a certain "theoretical proposition" which must have arisen in the mind of every thoughtful reader who had got this far in the summary review. This is, that if there have been these periods of a shortage of labor when, without the immigrant, industry must have languished, the demand of the employers for more labor must have reacted favorably upon the conditions of the workingman. According to almost any known theory of wages the demand for labor at such a time must of necessity have raised the wages of the laborers already in the country, if the foreign sources of supply had been cut off. But Dr. Hourwich says no, and proceeds to show that in the absence of the immigrant certain substitutes for foreign labor would have been developed, so that the demand for labor would have been satisfied without raising wages. The calm recklessness with which the author thus demolishes his carefully constructed argument that immigration has been necessary for the development of the country is truly amazing. There are indeed substitutes for human labor, which are always potentially available, and will be brought into requisition when labor becomes dearer than society can afford. It is quite probable that if there had been no "new

immigration" the United States would have been able to avail itself of these substitutes to such an extent as to provide for a healthy industrial development, though undoubtedly at the cost of a higher wage to the workmen who would necessarily have been employed.

Let us now glance over the main body of the work, picking out only such glaring faults as can be considered in a limited space. The chapter on the report of the immigration commission is evidently intended to discredit the work of that body, and its conclusions. The illustrations selected are for the most part trivial and rather anomalous ones, such as are of necessity included in a work of such scope. Even these are handled in a misleading way, and are not always accurately quoted, as for instance in the last sentence in the footnote on page 60, where "four families" should read "twenty-six" families. Throughout the book the author indulges in many an ironical sneer at the work of the commission. Yet it is noteworthy that he quotes from its report freely and unreservedly whenever it happens to coincide with his own opinions.

The chapter on the old and new immigration is a hopeless muddle on which no time need be wasted. In the chapter on immigration and the labor market the statement is made that "during the industrial crisis of 1908 immigration dropped at once nearly a million" and there was "a net loss of nearly a quarter of a million through emigration." As there is not a semblance of accuracy in this statement if it refers to the fiscal year, we must conclude that the author has in mind the calendar year. Between the calendar years 1907 and 1908 there was a drop in immigration of 859,642 and a net loss through emigration of 41,198. General statements in a statistical volume should come nearer the figures than this.

Dr. Hourwich regards the returning immigrant as a much more potent force in stimulating emigration than "the much blamed steamship agent." He forgets

that it is impossible to separate these two classes, as a large proportion of the steamship agents are themselves returned immigrants. In his effort to prove that the popular idea of stimulation is much exaggerated he quotes (page 100) a sentence from the report of the immigration commission to the effect that "there are probably at the present time relatively few actual contract laborers admitted." In fairness, he should have gone on, and quoted the very next sentence, which reads as follows: "There are annually admitted, however, a very large number who come in response to indirect assurance that employment awaits them." And if he had wished to appear wholly unprejudiced, he might have quoted another sentence (on page 189 of the same volume of the report) to the effect that "it is certain that European immigrants, and particularly those from southern and eastern Europe, are, under a literal construction of the law, for the most part contract laborers." These statements come much nearer to representing the general opinion of the commission than the detached sentence quoted by Dr. Hourwich.

In regard to the author's discussion of unemployment, this sweeping criticism may be made. In his entire treatment of this subject, as well as of other allied ones, he assumes that the effect of any phenomenon must be immediately contemporaneous with the cause. If immigration increases unemployment, then the unemployment must be seen to increase at exactly the same time that immigration is increasing. All of his tables and charts are constructed on this assumption. Yet a moment's thought shows that it is absurd. It is common knowledge that immigration increases in periods of business prosperity, when unemployment is naturally on the decrease. The unemployment for which a large wave of immigration is responsible, may not appear until a year or five years after the crest of the wave. If the comparative curves which the author uses to establish his point were shifted forward

or back in point of time, they would then appear to prove exactly the reverse of what he wishes. No sensible student claims that when immigrant A arrives in the country he at once throws native B into unemployment, nor that Franceschi and Polenski shove Bauer and Svenson bodily out of their jobs.

The chapter on racial stratification is vitiated by the fact that the figures are confined almost wholly to the decade 1890 to 1900 which was a period of exceptionally small immigration and numerous departures. In the chapter on emigration from northern and western Europe a very significant statement occurs, viz., "The increased demand for labor in the industrial establishments of Germany resulted in a substantial increase of the rate of wages." The same idea is brought out in the discussion of the other north-western European countries, where it is shown that the industrial expansion has resulted in a great improvement in the situation of the laboring classes. The author fails to show why similar conditions should not have accomplished a similar result in the United States, in the absence of an unlimited immigration.

In his discussion of the standard of living and wages, the chief weakness of the argument has already been suggested, viz., that the author continually compares conditions now with what they were half and three-quarters of a century ago, making no allowance for the tremendous advances in sanitation, social legislation, and public opinion, which ought to have set the workman of today immeasurably ahead of his grandfather in everything that pertains to the comfort of life. The decrease in the hours of labor is called "the effect of the 'new immigration'" (page 313), quite ignoring the fact that England, with more emigration than immigration, has witnessed an even more significant reduction in hours. In fact, the author's method of comparing conditions in the United States with those in foreign countries would be disastrous to several of his arguments, if consistently carried out.

Perhaps the worst positive statistical blunder in the book is that connected with the comparison of the tendency of native parents and foreign parents to put their children to work. The number of children of each nativity at work is compared with the number of all bread-winners of the same nativity in manufacturing and mechanical pursuits. Now, obviously, the only reasonable basis of comparison is the total number of children of the given ages in each nativity group in the country. If the author had made this comparison (as he might readily have done from the same source from which he drew his figures) it would have appeared that nearly three times as large a percentage of all children of foreign parents, of the given ages, are employed in the specified occupations, as children of native parents. One is in doubt whether it is more charitable to assign such a perversion of statistics on the part of a writer of Dr. Hourwich's ability to carelessness or to intent to mislead.

In the midst of his discussions of economic problems the author inserts a very cursory chapter on pauperism and crime. The summary treatment of crime finds its justification in the fact that the author has published an essay on the subject, in which he arrives at the conclusion, which corresponds with that reached by many other investigators, that immigration has not increased the volume of crime in this country. As regards pauperism, no similar grounds for so inadequate a treatment are evident. The only reason which suggests itself is that even so clever a statistician as Dr. Hourwich would have difficulty in finding statistics which would not go to show that the amount of pauperism among the foreign-born was vastly out of proportion to their total numbers in the population.

It is not necessary to continue this discussion into the consideration of various separate industries which closes Dr. Hourwich's book. Enough has been said to demonstrate the fundamental weaknesses of the work. In addition to many actual statistical inaccuracies and care-

less practices (such as referring to a period of years sometimes with the inclusion of the first year and sometimes without it—as, the ten-year period 1900–1909 or 1899–1909) the following general faults run through the book: (1) Arguing from concomitants—because two things have happened simultaneously, therefore one is the cause of the other, or the other is the cause of the one, if that suits one's purposes better. (2) The comparison of a certain phenomenon between different times or places with reference to a single conditioning factor, without consideration of numerous other factors which might also influence it (unemployment in Australia without immigration and in the United States with immigration). (3) The assumption that an effect must appear simultaneously with its cause. (4) The neglect of the important question of the influence of immigration on the birth rate of a society. (5) The treatment of the remuneration of labor on the basis of money wages, instead of real wages. (6) The confusion of labor with cheap labor. (7) The assumption that labor-saving machinery supplants skilled labor to a much greater extent than unskilled labor. (8) The failure to allow for any natural progress in the condition of the American workingman in the last three-quarters of a century. (9) Finally—the besetting sin of the professional statistician—the assumption that nothing is true which cannot be proved by statistics.

Less space need be devoted to Dr. Warne's book, not because it is less important, but because it contains less to challenge criticism—and of course the reviewer finds himself in a more expansive mood when finding fault than when meting out praise.

In the first chapter the author carries out the comparison suggested in the title between the immigration of the present and the great invasions of history. This is skilfully done, and while one might take exception to the use of the word invasion in such a broad sense, and to

the attitude of hostility on the part of the author which it implies, nevertheless the query which is raised, as to whether America alone can hope to escape the consequences of such a movement, is very pertinent.

In his discussion of the causes of immigration, Dr. Warne does well to lay stress on the question of land, and density of population, for immigration in a very real sense represents the redistribution of population consequent upon the discovery of America. His view of induced immigration and contract labor is directly opposed to that of Dr. Hourwich, as Dr. Warne regards them both as of great importance. The now familiar change in the racial character of immigration is thoroughly discussed, and well portrayed by the use of tables and charts.

The chapters on distribution are among the best in the book. It is clearly demonstrated that the predominance of the older immigrants in the agricultural regions of the west and northwest, and the concentration of the newer immigration in the north Atlantic states are the result of the economic conditions of two different periods of development rather than of different racial traits on the part of certain groups of immigrants. The primary cause of the small immigration to the south is found in the institution of slavery.

As a preparation for the study of the effects of immigration upon conditions in the United States, the author considers at some length the customary standard of living of the different immigrant races in their native European homes, and finds that not only are the standards of immigrants in general lower than those of Americans, but that the standards of the newer races are decidedly lower than those of the older ones. These standards the immigrants bring with them.

As a result, there arises that disastrous competitive struggle between different standards of living, which Dr. Warne has clearly depicted in his earlier book,

The Slav Invasion. The outcome of the struggle is the stagnation of the standard of the natives and of the older immigrants at a point far below that which they might have reached by this time, and in some cases an actual lowering of that standard in the effort to hold out against the new immigrants.

What is true of the standard of living is of course true of the wages upon which it depends, and here we find the most striking and significant conflict of opinion between these two authors. In practically everything which concerns the welfare of the American workingman, Dr. Warne finds that the influence of the new immigration has been disastrous, while Dr. Hourwich fails to see that any harm whatever has been done. Of the two, Dr. Warne's method of treatment and conclusions make a much stronger appeal to the reader, and seem to rest on a saner and sounder logic. He does admit that without immigration the industrial development of the country might have been less rapid, but considers that this might have been a good thing.

In his discussion of the future and of the responsibility of the United States, the author is at his best. His appeal is to the common sense of the nation, and to a broader human sympathy and sense of stewardship. His words challenge the thought of every citizen of this country who feels motives above mere money-getting and selfish personal advancement, and demand the consideration of the menace of unregulated immigration before it is too late.

Certain minor criticisms of this book should be made in the interests of completeness. The long lists of proper names of races and places which occur from time to time give an impression of padding, which the body of the work does not warrant. The illustrations are somewhat monotonous, and the quotations from a few authors, as for instance Mr. Bryce and Mr. Wells, are perhaps too voluminous. On page 117 the author must have meant to say that more than one-third, instead of one-half, of the

population was living in cities; and the present head tax is \$4 instead of \$2 as stated on page 309. Taken as a whole, however, this book gives evidence of a really remarkable penetration and insight into the more fundamental and significant, though less obvious, aspects of the immigration situation in this country.

The effect of immigration upon wages and the conditions of labor in the United States can never be proved by statistics. Probably it can never be proved at all. Statistics are good, and furnish valuable bulwarks to arguments pro and con. But after all the figures are tabulated, and all the charts and diagrams drawn, and all the curves plotted, it still remains true that one cannot write Q. E. D. at the end. It is significant that of these two authors the one who relies less on statistics, and more on logic, observation and common sense, comes much nearer to proving his point.

HENRY PRATT FAIRCHILD.

Yale University.

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NEW DEMANDS IN EDUCATION. By James Phinney Munroe. New York: Doubleday Page and Company, 1912.

One of the most significant things about this book is the indication it contains that the leaders in business and industry and the leaders in education are arriving at a common understanding of the real meaning of education. The book will serve a useful purpose by giving to some of the recent tendencies in education the support of the "practical" thought of a layman in the business world. If the "new demands in education," now recognized by the more advanced industrial and educational leaders, are to be met, it will require the closest coöperation between the two groups, and a book of this kind should do much to give currency to the best thought in education, which is too exclusively confined to professional educational discussion.

The fundamental demand in educa-

tion, the author repeatedly emphasizes, is for individual efficiency—physical, mental and moral—as a means to social or civic efficiency. In his preface he enumerates eight new demands, and “upon these theses the arguments of the following chapters rest.” The first demand is for greater attention to the individual child through smaller classes; the second, greater attention to the physical well being of the child; third, greater educative exercise for the mind by establishing a clearer relation between the work of the school and real life; fourth, better training of the senses—the powers of observation and ability to use the hands; fifth, that education shall put its chief emphasis upon character; sixth, that the main emphasis of schooling shall be placed on the social side—effective living as a member of the community; seventh, that there shall be some one to advise the boy “what to do next” when he reaches the age when he may legally leave school; and finally, that, from the age when he may legally leave school up to manhood and womanhood, there shall be “a wide variety of opportunity for making himself (or herself) into the most intelligent, the most efficient, and therefore the happiest citizen that it is possible for him to be.”

The vocational idea runs strongly through the book, but not in a narrow sense. Efficient citizenship is constantly kept in the foreground as the chief and all-inclusive vocation. Some of the more significant chapters are those dealing with the grievance of the average boy against the average school; the common school; education as prevention; the demand for efficient administration; the demand for a true profession of teaching; the demand for vocational training; the pressing need for industrial education; the demands of business; the need for real patriotism; the demand for trained citizens; the demand for a citizens’ high school; how the colleges ruin the high schools; the educational bearings of manual training.

The author declares that we need

“educational engineers,” and forecasting the main recommendations of such engineers, he says they would certainly include:

Much larger school appropriations, together with better systems of business management.

Much smaller classes (not to exceed twenty-five);

Higher salaries to competent teachers;

Better training for teachers;

A reorganization of most normal schools in order to bring about that better training;

the organization of the teaching profession (like that of law, of medicine, and of engineering) for the purpose of promoting higher professional standards;

Limitation of the authority of school boards to matters non-educational;

Establishing of school “faculties” with authority, under the superintendent, over all educational questions;

Development of a rational and diversified school program to meet the life-need of the average pupil, not the artificial examination standards of the colleges;

School buildings simply planned and furnished, but properly ventilated, heated, and lighted;

Ample provision for physical training and for health teaching;

Education of each child as an individual, with due regard to his present aptitudes and future prospects;

“Social education”—that is, the training of the child to live usefully and happily with and for his fellows; and

Wise development of manual and industrial education, leading to vocational training.

These forecasted recommendations have recently been substantiated, in large measure, by the actual recommendations of the “educational engineers” who have made the inquiry into the school system of New York City. The following passages from *New Demands in Education* might almost be duplicated in the report on the New York school inquiry:¹

We must, however, do away with the curse of uniformity, allowing instead, full play to individuality; we must, furthermore, fit the means and methods

¹ See NATIONAL MUNICIPAL REVIEW, vol. II; p. 88.

of the school to the real needs of the future worker and citizen; and we must, in addition, make the profession of teaching self-respecting by releasing it from its present bondage to amateurs; to well-intentioned but inexpert school boards who are jauntily settling pedagogical problems that appall trained experts. The teachers, if they are to teach from themselves instead of from prescribed text-books, must have a larger share in the control and development of schools, and must be so trained and stimulated as to be fit to assume that larger share.

A school board constituted as are those in most of the cities of the United States is an anachronism in these days of sociological knowledge and of business organization.

A school board should then be chosen largely for its administrative fitness entirely without regard to its political affiliations; should be small, so that its plain and comparatively simple duties of legislation may always be carried on in open daylight, in committee of the whole; should be fairly permanent so that it may pursue a steady policy; should be dignified and not harassed by trivialities, so that men of the highest ability may not shrink from service upon it; should be chosen not so much for what its members know (or think they know) about education, still less for any deep familiarity with city politics, but because they are persons of good judgment, of wide knowledge of affairs, of deep interest in the city's welfare, and of incorruptible integrity.

This committee (board) in turn should place all administrative and executive duties connected with public education in the hands of experts directly responsible to it.

Upon the superintendent, thus freed of all business detail, should rest entire responsibility for the educational efficiency of the schools, including the appointment and dismissal of teachers, and the determination of courses of study. Such a superintendent must be an expert in the science and art of education, must be a man of broad culture and wide views of life, must be a person of boundless zeal, ready tact and unflinching moral courage. Moreover he should have powers as nearly autocratic as it is wise to give where abuse would entail far-spreading mischief; should be assured of tenure of office during good service; should have an active part, though not a vote, in all meetings of the school board; and should have supreme control of and final responsibility for all disciplinary measures, including the im-

portant educational question of truancy.

There should be . . . a school faculty, similar to a college faculty, wherein courses of study, methods of teaching, text-books, and the thousand questions of pedagogics should have free discussion; wherein every new idea should have encouragement; wherein all fair criticism of methods or books should have respectful hearing.

ARTHUR W. DUNN.

New York.

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SOURCES OF MUNICIPAL REVENUE IN ILLINOIS. By Lent Dayton Upson, Ph.D. University of Illinois Studies in the Social Sciences. Urbana-Champaign, Ill.: Published by the University, pp. 126. 75 cents.

This study has a significance not only for the information which it contains as a presentation of certain interesting data and conclusions of importance in their local application to the particular communities of which it treats, but in its broader aspects as suggestive of a great and heretofore untouched field of opportunity for similar monographic treatment by advanced students and scholars of our universities.

The impetus which has been given by such organizations as the National Municipal League and the United States bureau of the census in the last fifteen or twenty years to the consideration of problems of municipal government, it would be difficult to exaggerate; yet it is a somewhat curious fact that this movement has reacted chiefly upon the states in the form of various legislative enactments intended to bring about a more scientific reporting of the financial transactions of cities, towns, and other minor political subdivisions, while societies and the curricula of universities, whose object has been the study of political science or original research in this broad field of inquiry, appear to have confined their activities almost solely to that branch of the subject which relates primarily to the structure and organization

of government. Very little attention has been given to the equally important—some of us think the more important—aspect of the problem as to how best to secure an efficient administration of municipal affairs which is involved in the accurate reporting of properly classified fundamental data, and an administration of municipal functions, under whatever form of government, based upon an intelligent use of known facts. This is not to say that the numerous devices for nominating and electing and controlling our public officers, of initiating legislation and of the administration of municipal affairs by commissions, may not represent wise and salutary reforms; only, let us not deceive ourselves by thinking that once we have adopted these things, our municipal soul is thereby to be automatically saved, for we shall need then, quite as much as now, certain measuring rods of efficiency with which to check up the system, as well as keep tabs on individual conduct.

It is no doubt true that the real reason we have had so few students of municipal government from the fundamental viewpoint of financial administration is not the lack of appreciation of the importance of the subject, but the utterly forbidding and discouraging character of the material with which students have been confronted whenever they have set to work upon original sources. Dr. Upson's monograph is not only a substantial contribution to the literature of the subject, but it is a tribute to his courage and perseverance, and a concrete demonstration of a fact, that many seekers after truth in this field of inquiry will never learn save by toilsome experience—namely, that official documents and the bald statement of financial officers cannot be accepted at face value. "Questionnaires," he says, "were sent to municipal officers; annual reports were received from nearly (*sic*) half of the cities; and personal visits were made to all but two. . . . No one of these methods of inquiry proved entirely satisfactory. It was difficult to secure

replies even to direct questions. No printed report gave a complete report for a single city. In the cities visited the data had to be secured from a number of officials." "Nevertheless, a complete statement was secured from all but three of the cities examined," says the author who has analyzed his material in a manner enabling him to classify the several sources of revenue and treat each topically under its own heading, *e.g.*, property taxation; licenses and police fines; gifts, grants, and subventions; revenue from services rendered, and from municipal industries and property.

These chapters are supplemented by a brief discussion of loans, by numerous statistical tables, and by a bibliography. The final chapter summarizes in excellent form the author's definite conclusions, twenty in number, most of which have a purely local application, though some of them reflect conditions undoubtedly prevailing in other states. Such studies may be expected to increase in number, scope, and intrinsic worth when we have more and better compilations of original data relating to municipal finance upon which such men as Dr. Upson may draw for reliable and suggestive material.

CHARLES F. GETTEMY.¹



HELPING SCHOOL CHILDREN: SUGGESTIONS FOR EFFICIENT COÖPERATION WITH THE PUBLIC SCHOOLS. By Elsa Denison. New York: Harper and Brothers, pp. 351, \$1.40.

The sub-title of this book fairly suggests the scope of the work, and no one can read it without feeling that "its message and its facts are needed wherever there is a public school or a civic organization." Based upon an extensive investigation in all parts of the country and upon "contributions from 350 city and state superintendents of public instruction and 650 business men, club women, physicians, dentists, ministers and editors," besides statistics from vari-

¹ Boston.

ous bureaus of research, the suggestions made and conclusions reached should commend themselves to all interested in the public schools and in general government efficiency.

In general it may be said that the work shows what is being done, and what can and should be done, in the way of co-operation, to make the public schools more effective; and the subject is treated from every point of contact and viewed from every angle. In spite of the fact that perhaps \$10,000,000 are being spent annually by public and private agencies to supplement the work of public schools in the United States, which is more than the income from the Rockefeller and Carnegie foundations combined, yet the writer feels that the present activities do not meet the needs of the public schools, and the general apathy and lack of interest still presents a problem which is far from solved and in which, in many instances, but a poor beginning has been made—and indeed in thousands of instances not even a visible sign of a beginning. The solution of the public school problem, therefore, lies in effective outside coöperation, and this can only be brought about by a general awakening of the public conscience and applying the remedies already worked out in the more favored localities to the unenlightened communities. This can best be accomplished by central organizations which shall act as distributing agencies of information necessary to raise the general level of efficiency. But of course the real problem is essentially a local one and local interest must awake to meet the situation. This interest moreover must come from voluntary organizations and associations. Officials will be stimulated to do their full duty, school budgets will be increased to meet the proper needs, and an effective teaching staff will be secured only when the public has an honest—which is an intelligent—enthusiasm for the public schools.

With the general suggestions outlined in this work, the majority of students of social reform will agree. Efficiency

in school administration as in other lines of government will only come when a vital contact between the agents of the people and the people themselves is effected, and this can only be brought about by voluntary action from the latter. This fact has been demonstrated by such organizations as the National Municipal League and the various municipal voters leagues. These organizations have done much to stimulate an honest and intelligent interest in politics and there is reason to believe that the various voluntary associations suggested here would do the same for the public schools. But they must be organized and unified under a more intelligent administration than is often the case at the present time. Minor criticisms may be urged against this volume. The facts are not always arrayed in the most logical manner and a certain carelessness and looseness of expression fails to drive home the conviction which the facts would really justify. Quotations are often made with no indication of the source, and frequent references to unfamiliar cities are made with no hint as to the name of the state in which they are located. There are numerous typographical errors—too numerous in fact to be pointed out—which perhaps may also account, in part at least, for the faulty punctuation frequently met with. But on the whole the work is a contribution to a much neglected field of civic life.

KARL F. GEISER.

Oberlin College.



THE CONSERVATION OF THE CHILD. By Arthur Holmes, Assistant Director of the Psychological Clinic, University of Pennsylvania. Philadelphia: J. B. Lippincott and Company, \$1.25.

How to tell when children are mentally, morally or physically defective; how to classify each child so as to secure for him the best individual care; how to conduct a psychological clinic in close

coöperation with schools, charitable societies, hospitals and universities; how to give physical, pedagogical and psychophysical tests and interpret their results—all this is told with a wealth of case detail in the *Conservation of the Child*.

Dr. Holmes' description of the routine procedure of the clinic, of what its physicians, psychologists and social workers do every day, his full presentation of Binet, laboratory and school book tests, and his historical summaries of interest in feeble-minded children, are primarily of value to the physician, psychologist and teacher of atypical children. For all teachers of normal children, for parents and social workers, the book includes many sign posts and danger warnings among its analyses of early symptoms of feeble-mindedness, and its constant references to the school problems of retardation and over-age.

Every city is in the midst of or must eventually go through the experience of coördinating the agencies, public and private, that are in touch with mentally abnormal children. Dr. Holmes has outlined a system of coöperation between these forces in Philadelphia through the clinic which aims to be a "a helpful coördinating, correlative agency among all societies and organizations aiming at the welfare of children."

Every one of the four thousand children brought to the clinic since 1896 received a thorough physical examination, and if adenoids or decayed teeth seemed the possible cause of backwardness or badness, these defects were remedied before the mental tests were made.

When a child is classified as corrigible or incorrigible and its treatment outlined by the examiner, he is not sent back to home and school to get along as best he can, but the necessary watching and special instruction are given either at the clinics' hospital school, in the child's home or in some institution. Each child receives the continuing service of a specially trained social worker, a friend till the last, which means permanent com-

mitment to an institution, or maximum development of his powers.

For its record of a smoothly running organization, unique in this country, as well as for its suggestions to other cities, and to all people caring for feeble-minded children, the *Conservation of the Child* will be of lasting service.

WILLIAM H. ALLEN.

New York City.

*

FLIES AND MOSQUITOES AS CARRIERS OF DISEASE. By William Paul Gerhard, C.E. New York. Published by the author, Forty-second Street Building, 25 cents.

Dr. Gerhard is a well-known writer on public sanitation, and his works are usually full of valuable information. The pamphlet in question, including some 16 pages of text, bears inside as an apparent sub-title, "What farmers can do to assist in the campaign against flies and mosquitoes," and the paper is as a whole a reprint of an article written for *The Country Gentleman* several years ago.

Dr. Gerhard brings together a brief and rather capable summary of the fly-fighting methods and the mosquito extermination practices so far developed and published. The pamphlet, as far as it goes, presents, therefore, important matter which it is well to have widely circulated.

Regret is felt, however, that Dr. Gerhard has not said anything new, and that in common with others who are dealing with the subject of fly-fighting particularly, he has "side-stepped" the suggestion of any practicable methods whereby the farmer may prevent the breeding of flies without destroying the value of horse manure. It is well enough of course, to suggest that horse manure should be promptly removed from city stables, or that it should be so treated as to prevent the breeding of flies. It is, however, futile to propose to the farmer that he should use chemicals which would destroy the manurial value of that which

has much to do with his prosperity as a farmer.

The same lack of concrete investigation upon a subject relating to life and economics most importantly is found in the publications of the Agricultural Department at Washington, and also in the authoritative work of Dr. L. O. Howard upon this subject.

Dr. Gerhard's pamphlet gives excellent suggestions as to how proper sanitation about the farm home will reduce the number of flies and mosquitoes, which may be carriers of disease, and are certainly productive of annoyance. It is to be hoped that some scientific investigator will appreciate the importance of carrying on experimentation in such fashion as to be able to propose to farmers a method of handling horse manure so as to prevent the breeding therein of flies without the destruction in consequence of the value of the manure.

J. HORACE MCFARLAND.

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FOXY GOVERNMENT, OR FALLACIES OF THE DES MOINES PLAN. By P. H. Ryan. Published by the author, February 1912.

This is a title which commands attention, especially from students, debaters and librarians who have long looked in vain for "something on the other side." Such searchers will be disappointed, however, in this slender volume, for it constitutes the sort of opposition which the friends of the Des Moines plan should welcome with shouts of joy.

It is a gale of ill-tempered declamation assailing the theory of the commission plan and sneering at the enthusiasm of its supporters in Des Moines. The opening sections are devoted respectively to Adam, Abraham ("When Abraham tried the Commission Plan") Romulus and Remus, Alexander and Napoleon, all of whom, it seems, did much damage in their days by setting up new fool forms of government.

Among the gems (Come now, C. R. W.—stay that blue pencil! I know the screed is not worth our space but we have to have a *little* fun in this magazine!) among the gems that shine from the pages are the following:

Ward representation is eliminated, destroying a representative form of government.

The United States is the only republic existing for a greater length of time than any other.

Rotation in office is the one great check against trickery and crookedness.

As to initiative, referendum and recall:

Such a system causes turmoil, unrest and produces a virulent form of anarchism.

The only ones desiring it (commission government, in other cities) are a clique of muckrakers.

As proof of a nation-wide "conspiracy" to spread the commission plan, the author cites the existence of municipal leagues in New York, Ohio, Pennsylvania and other states, "the leaders of which have no other motive than mercenary."

As to the reason why the number of commissioners was set at five:

If the ball of the thumb is adjusted in proper juxtaposition with the apex of the nose, the fingers apart, extended in the direction of Hawaii, and wigwagged at the other fellow in a contemptuous manner, an insinuation of disdain is implied that may have been the inspiration that led to the selection of a quintette as the most feasible galaxy of units.

Not everything that the author presents is false or frivolous. There are fallacies in the commission plan, there are defects in the details of the Des Moines charter and the commissioners have been human enough to err from time to time, but this glib critic is too poorly grounded in political science and too biased to be either an acceptable collector or interpreter of the facts.

RICHARD S. CHILDS.

New York.

COÖPERATION IN NEW ENGLAND.. By James Ford. New York: Survey Associates, Inc., pp. 300. \$1.50.

In no other part of the United States has the coöperative movement received so much attention from economic students as in New England. In 1877 George E. McNeil made an elaborate study of the history of coöperation in New England for the Massachusetts bureau of labor statistics; in 1886, Dr. E. W. Bemis published his well-known *Coöperation in New England*, and now after a lapse of nearly thirty years Dr. James Ford presents a new survey of the same field. We have thus a unique succession of inventories of the coöperative movement. The chief interest in Dr. Ford's book to most students, therefore, will not lie so much in its faithful delineation of existing coöperative enterprises, as in the light it throws on the progress of coöperation in New England.

In 1886 Bemis found 17 coöperative manufacturing enterprises in New England, in 1913 Ford found not a single factory managed on genuine coöperative principles. The total collapse of productive coöperation is not so surprising however, as the decline in distributive coöperation. Coöperation in production has been declining elsewhere, but in practically all other industrial countries distributive coöperation has been extending. In 1886 Bemis found 53 coöperative stores with a paid-up capital of \$187,466 and doing an annual business of \$2,000,000. Of these about a dozen survive with a capital of \$90,000. There are altogether, according to Ford's reckoning, some 60 coöperative urban stores in New England, but practically all of the stores established since 1886 have been established by immigrants directly in imitation of the coöperative stores of their native countries. It remains to be seen whether these stores will survive the Americanization of their clientele.

The results of rural coöperation have not been much more encouraging. The chief enterprises of this character found

by Bemis in 1886 were the coöperative creameries and here again Dr. Ford finds since 1890 a considerable decline. The one form of distributive coöperation which shows substantial progress is the association for the coöperative sale of produce, typified by the very successful New England Cranberry Sales Company.

Naturally, Dr. Ford devotes much of his attention to the causes of failure. The decline of the coöperative creameries can be explained by special causes. But there are evidently more general causes for the backwardness of the American coöperative movement. Dealing more generally with the question, Dr. Ford ascribes the failure of distributive coöperation largely to the fact that the American prefers to increase his earning power rather than to exercise thrift. But things are changing, he thinks, and in no great while the American workman too will have to become thrifty. It is possible that this is the true explanation, but we should have liked to hear something as to the other possible explanation—the greater relative efficiency of American private distributive agencies over similar agencies in other countries. It may be that the American workman finds that the coöperative game is not worth the candle, not because he esteems candles less than the workmen of other countries, but because there is less candle here.

GEORGE E. BARNETT.

Johns Hopkins University.



BETWEEN ERAS FROM CAPITALISM TO DEMOCRACY. By Albion W. Small. Kansas City, Mo.: Inter-Collegiate Press. 431 pp.

Professor Small's book is a singular combination of conversations, discussions, and moralizings (touched throughout with a decided human interest) in which the nature and evils of the capitalist system are laid bare and a remedy sought by practical men of affairs under the guidance of philosophers and friends.

It would be difficult to find anywhere a more acute analysis of modern industrialism or a surer statement of changed views which are coming to thoughtful men and women all over the world as they contemplate the havoc which has followed in the train of uncontrolled competition—that “natural order” so blessed in the eyes of Manchester. The volume also presents a remarkable picture of all sorts and conditions of men and women, theorists and tough minded persons, who are seriously devoting themselves to “the problems of the hour,” much to the displeasure and high contempt of the Philistine. Captains of industry, striking workmen, politicians, socialistic preachers, despised sociologists, insurgents, and professors have their say, as the author exposes the inner workings of a great industrial enterprise under the leadership of resourceful capitalists. The goal to which it all runs is a sort of copartnership with labor a little higher in the scale than in any such undertakings which have been realized so far. It may be a forlorn hope to which our author leads us. Such it will seem to be to those who have seen at close range the sickly plant of copartnership which has languished for half a century in the midst of British capitalism. But whatever may be thought of the outcome of the story which Mr. Small here tells, all will admit that he has made impressive portrayal of many aspects of the modern industrial conflict.

CHARLES A. BEARD.



ESSAYS IN TAXATION. By Edwin R. A. Seligman. Eighth edition, completely revised and enlarged. New York: Macmillan Company, 1913. 707 pp. \$4 net.

Professor Seligman's collected *Essays in Taxation* first appeared in 1895 and has gone through seven editions without material change. The present eighth edition has however been thoroughly

revised, being expanded from thirteen to twenty-one chapters and from 434 to 707 pages. The revision has extended to practically every chapter, while notable additions are found in the chapters on the general property tax, the single tax, the inheritance tax, corporation taxation, and recent literature in taxation. The eight new chapters, which are mostly based on papers and addresses published elsewhere in the interval, cover modern problems in taxation, a quarter century's progress in taxation, separation of state and local revenues, relations of state and federal finance, the importance of precision in assessments, recent reforms in taxation (1909-1910), and American reports on taxation, 1901-1911. Last but by no means least in importance is the enlargement of the index from ten to twenty-five pages.

The work has been a recognized authority for so long that any review at this date, beyond an indication of the extent of the changes, appears superfluous. It has in fact been one of the chief influences making for a sane and orderly progress in taxation. This influence will be strengthened by the appearance of the revised edition, which is of course indispensable to all serious students of taxation.

EDWARD VAN DYKE ROBINSON.

University of Minnesota.



THE NEW AMERICAN CITIZEN: A READER FOR FOREIGNERS. By Frances S. Mintz. New York: The Macmillan Company, pp. 206. 50 cents.

This little volume contains topics of interest to foreigners, such as the story of the discovery and settlement of their adopted country, short biographical sketches of national heroes like Washington and Lincoln, national hymns, a brief outline of our governmental system, pen-pictures of our great cities, interesting stories from the lives of our famous poets and prose-writers, with selections from their writings, and stories of modern

inventions and occupations. Instruction in personal hygiene is made the basis of several lessons.

Unfortunately some of these topics extend a little too far beyond the average foreigner's educational background, and do not give him that intimate knowledge he needs of the life and activities that immediately surround him.

The book best meets the needs of those who have gained some proficiency in the English language and have acquired a rather extensive vocabulary. But on the other hand, the book will help displace the uninteresting and juvenile "I see a cat" reader for foreigners, and will command the interest of adult pupils of all nationalities through the knowledge it will impart of their new home-country and the appeal it will make to civic pride and patriotism.

In short, the *Reader* will serve fairly well as a short step to the history of American literature and institutions, and to an understanding of the duties and privileges of American citizenship.

JOHN J. MAIORIELLO.

Social Service Settlement, Philadelphia.

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THE COURTS, THE CONSTITUTION AND PARTIES. By Prof. Andrew C. McLaughlin. Chicago: The University of Chicago. Postpaid \$1.63.

Professor McLaughlin has gathered into a convenient sized volume five of his fugitive studies in constitutional history and politics. The one of greatest interest to the readers of the NATIONAL MUNICIPAL REVIEW is that on political parties and popular government. Another on the significance of political parties is also most interesting. In Dr. McLaughlin's opinion "the object of the party government is not to seek the will of the people and by diligent obedience do what the people may wish; it is not . . . to give free play to local whims and fancies."

The book would have been much more

helpful and suggestive if the several integral chapters had been revised and brought up to date. To illustrate: The chapter on the political significance of parties was written in 1908. At that date it was perhaps entirely proper to speak of Democratic success as a "humorous suggestion" and to say "some time we shall democratize and constitutionalize parties," a process which had proceeded far in 1912, and still further in 1913.

Notwithstanding the fact that the volume fails to recognize the truly remarkable developments of the past five years, it is one well worth attention even though written from the standpoint of the historian, rather than that of the political scientist.

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ORGANIZED DEMOCRACY: AN INTRODUCTION TO AMERICAN POLITICS. By Frederick A. Cleveland, Ph.D., LL.D. New York: Longmans, Green and Company, pp. 479.

Dr. Cleveland has provided a good, working handbook of the development of popular sovereignty in the United States. The picture drawn is one "of the continuing evolution of the means devised by organized citizenship for making its will effective; for determining what the government shall be and what the government shall do; for making the qualified voter an efficient instrument through which the will of the people may be expressed; for making officers both responsive and responsible. With that wealth of detail which characterizes Dr. Cleveland's work, we have a volume which while paralleling others in places, gives within its pages a good perspective of a complicated process. It is to be regretted that so much of the scaffolding in the shape of references and over-elaborate footnotes has been permitted to remain.

The book is one of the American Citizens Series, edited by Prof. Albert

Bushnell Hart, and owes its origin to the author's essay on "The Growth of Democracy in the United States."



THE AMERICAN SPIRIT. By Oscar S. Straus. New York: The Century Company. \$2.12 postpaid.

Twenty-two essays dealing with those subjects in which Mr. Straus has been most interested and those men with whom he has been associated, are included in this volume. There is no effort to give it continuity, but running through all the chapters is a note of sincere patriotism, real devotion to country and a desire to set forth his idea of personal and social service.



LONDON AND ITS GOVERNMENT. By Percy A. Harris. London: J. M. Dent and Sons, Ltd., pp. 188. 2 s. 6 d. net.

This is a concise and satisfactory account of a big subject. In less than 200 pages we have an epitome of the government of the British metropolis. As a member of the London county council, Mr. Harris speaks with authority and yet he does not overlay his treatment with unnecessary expert details. More-

over the book is illustrated in a way to illuminate the text. The concluding chapters on the relation of the state to London and on London reform are admirable alike in their perspective and in their spirit. In the words of the London Municipal Journal, Mr. Harris's digest is so well done, and it reads so easily, that only the expert in London's government can appreciate the labour that must have been entailed in elimination and compression.



BRITISH SOCIAL POLITICS. By Carlton Hayes, Boston: Ginn and Company. Pp. 58. \$1.75.

This is a source book on the following topics: workmen's compensation, child welfare, tradesunionism, old age pension, the unemployed, sweated labor, the housing and land problem, the Lloyd-George budget, curbing the Lords and national insurance. The British acts on each subject are described, the history of their passage set forth and the leading speeches dealing with them are summarized clearly and fairly. The editor who is an assistant professor of history at Columbia contributes an interesting introductory note.

BOOKS RECEIVED

ADDRESSES AND PROCEEDINGS OF THE FOURTH NATIONAL CONSERVATION CONGRESS. Indianapolis: October 1-4, 1912.

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William H. Baldwin Prize

HERETOFORE the NATIONAL MUNICIPAL LEAGUE has established an annual prize of One Hundred Dollars called the *William H. Baldwin Prize*, to be given to the author of the best essay on a subject connected with municipal government. For the year 1913-1914, a prize of \$100 will be offered to:

Undergraduate students registered in a regular course in any college or university in the United States offering direct instruction in municipal government.

The prize will be awarded by judges selected by the Executive Committee of the League, and the names of the winners will be announced at the next following annual meeting.

The Council of the League has selected as the topic for next year's competition the subject of

"Is the Commission Form of Government a Permanent One?"

The essays must not exceed 10 000 words, and must be *typewritten in duplicate*, and both copies mailed or delivered to an express company not later than March 15th, 1914, addressed to CLINTON ROGERS WOODRUFF, Secretary of the National Municipal League, North American Building, Philadelphia, Pa., and marked "*For the William H. Baldwin Prize.*" Competitors will mark each paper with a "nom-de-plume," and enclose in a sealed envelope the full name, address, class and college corresponding to such "nom-de-plume."

For any additional details concerning the scope and conditions of the competition inquiries may be addressed to the Secretary.

Fifteen essays were submitted in 1912 for the essay on "The Appointment of Higher Municipal Officers by the Merit System." The prize was awarded to Arthur Dexter Brigham, of the Senior Class, Harvard University. Richard H. Dana, Esq., of Cambridge, Mass., and John H. Thacher, formerly Civil Service Commissioner, Kansas City, Mo., acted as judges.

Ten essays were submitted in 1913 for the essay on "The Best Sources of City Revenue." The first prize was awarded to Miss Sybel Edeweis Loughhead, of Radcliffe College, Cambridge and the second to Mr. Edward A. Lawlor, of Harvard. Dr. L. G. Powers of the Bureau of the Census, Washington, D. C., and George C. Sikes of the Chicago Bureau of Public Efficiency acted as judges.

On behalf of the NATIONAL MUNICIPAL LEAGUE,

Secretary's Office
North American Building
Philadelphia, Pa.
September, 1913

CLINTON ROGERS WOODRUFF, *Secretary*

EIGHTEENTH ANNUAL MEETING OF THE NATIONAL MUNICIPAL LEAGUE

Held at Los Angeles, California

July 8, 9, 10, 11 and 12, 1912

MONDAY EVENING SESSION

Monday, July 8, 1912, 8 p.m.

The meeting was called to order in the Temple Auditorium by Lieutenant-Governor A. J. Wallace, of California, who, after a brief and interesting address, introduced Honorable George Alexander, mayor of Los Angeles. Mayor Alexander welcomed the delegates, extended the hospitality of the city to them, and expressed the hope and belief that the holding of this convention at this time in the city of Los Angeles, and the discussions and advice of the delegates would be of great assistance to the city's board of freeholders in its work of framing a new charter for the city of Los Angeles. Prof. Albert Bushnell Hart of Harvard University, on behalf of the National Municipal League, responded happily to Mayor Alexander's address of welcome.

Hon. William Dudley Foulke, of Richmond, Indiana, president of the League, was then introduced by Chairman Wallace, and delivered the annual address of the president, his subject being "Expert City Management."¹

At the conclusion of the president's address, announcement was made by Chairman Wallace of the "Civic Exhibit," being held in Temple Auditorium.

TUESDAY MORNING SESSION

Tuesday, July 9, 1912, 9.30 a.m.

PRESIDENT FOULKE in the chair.

The report of the executive committee was presented by M. N. Baker, chairman of the committee, with the following remarks.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 549.

MR. BAKER: The work of the executive committee while most interesting to its members while in session, would be very dull to review to those present. It consists chiefly of going over matters of administrative detail. The net result of the work has been reported to and approved by the council, and the report, which consists chiefly of statements of appointed committees, and passing upon details, briefly, has been filed with the secretary, and is available for examination by any who are interested.

The report of the treasurer for the year ending March 31, 1912, was read by the secretary.

The report of the committee on nominations was read by Robert S. Binkerd, of the committee. Upon motion of Mr. E. B. Hanson, of San Francisco, seconded by Mr. Charles A. Murdock, it was unanimously amended by adding the name of Charles Francis Adams, of San Francisco, as a member of the council. The report, as amended, was upon motion unanimously carried, adopted, and the secretary was instructed to cast the ballot for the nominees of the committee.

THE SECRETARY: I desire to say that I have cast a unanimous ballot for the following:

For president: Hon. William Dudley Foulke, Richmond, Indiana.

For vice-president: Miss Jane Addams, Chicago; Camillus G. Kidder, Orange, N. J.; President A. Lawrence Lowell, Harvard University; Hon. George McAneny, New York City; J. Horace McFarland, Harrisburg, Pa.; Charles Richardson, Philadelphia; Chester H. Rowell,

Fresno, Cal.; *James M. Thomson*, New Orleans; *Dudley Tibbits*, Troy, N. Y.

For secretary: Clinton Rogers Woodruff, Philadelphia.

For treasurer: George Burnham, Jr., Philadelphia.

For Council: Robert Treat Paine, Boston; Harvey Stuart Chase, Boston; William Bennett Munro, Cambridge; Albert Bushnell Hart, Harvard University; William G. Low, New York City; Eugene H. Outerbridge, New York City; Richard S. Childs, New York City; Arthur C. Ludington, New York City; William M. Chadbourne, New York City; Raymond V. Ingersoll, New York City; *Julius Henry Cohen*, New York City; Knowlton Mixer, Buffalo; Charles W. Andrews, Syracuse; Merwin K. Hart, Utica; Clarence L. Harper, Philadelphia; Thomas Raeburn White, Philadelphia; Oliver McClintock, Pittsburgh; A. Leo Weil, Pittsburgh; M. N. Baker, Montclair, N. J.; William P. Bancroft, Wilmington, Del.; Charles J. Bonaparte, Baltimore; John Stewart Bryan, Richmond, Va.; Elliott Hunt Pendleton, Cincinnati; Walter L. Fisher, Washington, Edward L. Burchard, Chicago; *President Edmund J. James*, University of Illinois; John A. Butler, Milwaukee; Frederick Cook Morehouse, Milwaukee; N. F. Hawley, Minneapolis; Dwight F. Davis, St. Louis; *James W. S. Peters*, Kansas City, Mo.; *C. G. France*, Seattle; *W. G. Eliot, Jr.*, Portland, Ore.; *Richard W. Montague*, Portland, Ore.; *Charles Francis Adams*, San Francisco; Rev. Charles N. Lathrop, San Francis; Meyer Lissner, Los Angeles; *Mrs. Charles Farwell Edson*, Los Angeles; W. B. Lighthall, Montreal, Canada.

The names in italics are new officers or members of the Council.

THE SECRETARY: I take this opportunity of saying that it is an unusual pleasure to cast this ballot because it is the first time that I have had the pleasure during my eighteen years of service as secretary of this organization, to cast

a ballot for a woman member of this council.

THE PRESIDENT: The next upon the program is an address upon "Simplicity, Publicity and Efficiency in Municipal Affairs," by Clinton Rogers Woodruff.¹

The next paper upon the program is "The Federal Government as a Potential Contributor of Municipal Advancement," by Frank A. Wolff, of the bureau of standards, Washington, D. C.²

THE PRESIDENT: The subject of the next paper is "Commission Government for Large Cities,"³ by Prof. William Bennett Munro, assistant professor of government at Harvard University; to be read by Mayor Mott of Oakland.

THE PRESIDENT: The subject of the next paper is "Home Rule in California,"⁴ by Prof. Thomas H. Reed, of Berkeley, California, the assistant professor of government at the University of California.

PROFESSOR REED: Sometimes city councils were not very willing to have boards of freeholders called together. They did not know what might be the result of their work. Los Angeles never lets a chance go by to present to the legislature an amendment to her charter. That is one of the things for which we admire Los Angeles, that when she has something which is not right, she is willing to change it. Los Angeles is the Athens of California. She loves new things.

The next subject upon the program is "County Home Government," by the Hon. Leslie R. Hewitt, senator from Los Angeles.

COUNTY HOME RULE

SENATOR HEWITT: The National Municipal League has appeared here at a very auspicious time for government

¹ See NATIONAL MUNICIPAL REVIEW, vol. 11, p. 1.

² See at end of this report for outline of Dr. Wolff's paper.

³ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 562.

⁴ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 569.

making in Los Angeles. I presume you know that the city of Los Angeles is about to repeat what the genial professor referred to a few moments ago, of adopting a new suit of clothes. In other words, we are going to have another new charter for the city of Los Angeles. Perhaps, however, not so many of you know that the county of Los Angeles is also about to adopt a charter, or at least to vote upon a charter. Now, municipal powers, municipal home rule, and those matters which pertain to local self-government in cities are familiar subjects. They are rapidly becoming more familiar subjects. So far as counties are concerned, however, it has been more or less of an unknown quantity with us. We have not heard of county home rule. We have not, in fact, paid very much attention to county government in any particular, except perhaps once in four years to participate in the election of divers and sundry county officials. It comes to us as a message quite as important in its own way, although it does not touch us at as many points as municipal home rule does. The city touches us at every point. The county, however, is something which we do not hear much about, except when the tax collector comes around or the sheriff appears to preserve the peace, or when the county supervisors let some contract to build some building which we did not know anything about.

It is proposed now, perhaps somewhat timidly, but nevertheless, most decisively, to adopt a charter for the county, which shall perhaps eventually result in a government for the county such as we enjoy in the city.

The city charter in this state has been one of the very highest instruments for governmental purposes, and the county government law has been merely a log-rolling performance, therefore county government has sunk to a low level in this state. What the people perform is simply, every two years, to elect the chief officials of the county. This matter of legislative power, also, has grown up

from year to year, as a sort of a composite result of what a board of supervisors in one county would want to have the power to do and the board of supervisors in another county would wish to have the power to do, and so on through the state; so that, massing this thing all together, the legislative powers of the county, outside of the powers which have been referred to, are merely the aggregate of these special things which the counties throughout the state have seen fit, from time to time, to exercise, or wished to exercise. This, then, consists, broadly, of the legislative powers of the county and the executive powers of the county, as suggested by the various county officials. Now then, so far as municipalities are concerned, infinite variety, of course, of form and of function is demanded. The municipality touches the state at a comparatively few points.

The county has some features purely of a state agency, and the government thereof must observe some degree of uniformity throughout the state. It cannot have, therefore, the same variety of operations or functions that a city can have. It has certain officers whose duties are the same throughout the state. The sheriff is the peace-keeper throughout the state, in one county as well as another. The county recorder is the keeper of the public documents and his duties are largely the same throughout the state. The clerk is the custodian of the records of the superior court and the files and documents in court proceedings, and so on, and his duties are the same throughout the state. Therefore, there should be, throughout the state, officers who perform these general functions which are common to all the counties of the state. Notwithstanding, there is a measure of local control which can be given to the counties.

If there is to be improvement governmentally and politically speaking, it must be by bringing home to the individual, of a sense of his responsibility and participation in matters governmental.

In the county that has not been the case. However, it is believed that, by the adoption of this county charter system, counties themselves may determine what officers they shall have, within the limitations to which I have referred; what salaries they shall receive; and may provide a civil service system in their own counties—a thing, by the way, which we have had great difficulty in getting even a hearing upon by the legislature. We can require more to be done by the county officials than the state law itself requires. We can do with them as we see fit.

I might suggest, for the benefit of the gentleman who I believe is to follow me upon the subject—the matter of the short ballot proposition. As it is now, we have a great list of officers to elect, the ballot consisting, I believe, of something over twenty names. It goes without saying, where the people have to pass upon twenty officers—that means at least eighty candidates for these offices—the people do not know half of them; perhaps not a quarter of them. Therefore, abundant opportunity is had for the slipping in of incompetent officials.

We have hit upon this plan of county home rule, which has been adopted, perhaps, somewhat hesitatingly, just as was the plan of municipal control. We pioneered upon that subject. We have not, of course, obtained complete success yet upon it. We provided in the old city charters that they should be subject to control by general laws, for fear we might go too far. So, with regard to counties, in this first attempt at county home rule, we have provided that the counties shall be controlled by general laws in certain respects; but it may be that, in course of time, if we succeed in the county home rule as we are succeeding in city affairs—I have no doubt but what, in good time, a complete system of county home rule, within reasonable limitations, will be successfully worked out.

THE PRESIDENT: The next speaker upon this novel and important subject is

Richard S. Childs, of New York, the secretary of the Short Ballot Organization.

MR. CHILDS: I am not speaking particularly of California counties. I do not pretend to know the California system well enough to go into such detail. I am speaking of counties in general, as they run throughout the country.

CONSTRUCTIVE SUGGESTIONS FOR DESIGNING COUNTY GOVERNMENTS

The county is an illustration of all the favorite American faults of government design, raised to the n'th power. It exhibits at its worst every one of the fallacies cherished by our grandfathers and the Jacksonian Democrats. For example, it carries the disconnection of powers to its logical extreme and makes each officer independent of the others and a law unto himself except insofar as he may be restrained from excesses by the fear of prosecution by the district attorney or the governor for transgressing a tangled hedge of legislation. The board of county supervisors, or whatever they may be called, must raise money to pay the bills of numerous officers whose work is laid out by the state and whose conduct they cannot control. The district attorney must work hand in glove with a sheriff who has considerable latitude as to maintaining an *entente cordiale* with him. The state, after making laws, must leave them to the tender mercies of in-subordinate agents who are free to exercise a pocket veto by silent non-enforcement if they do not like the laws or think that enforcement will be unpopular in their neighborhood. The clerk who serves the judges may embarrass and annoy his superiors by lax service and yet feel secure in his office. The district attorney may let his cases drag while he goes fishing and the supervisors must helplessly pay the bills for the waiting prisoners in the jail till he finds it convenient to come back.¹

¹ This sketch of the possibilities inherent in the present typical county was purely a work of imagination.

There is nothing in the county to enforce harmony and coöperation between its various officers except a chaotic mass of printed memoranda, called laws, passed and amended decades ago and quite too numerous to be read.

The rules for planning a correct county are the same as for any government. For instance:

1. The tax levying and tax spending bodies should be one: (a) so that it will have the power to raise money needed to give good service—if the public demands good service; (b) so that it will have power to compel economy of service if the public demands low taxes. In other words, put the officials between two fires.

2. The ballot should be short and the elective officers all conspicuous.

The public cannot be expected to control officers whom they cannot see. Obscurity destroys democracy. To get a county democracy that will "democ" every official who remains on the elective list must be made sufficiently conspicuous to be visible to his constituency. He can not be conspicuous in a crowd so the ballot must be short. He cannot be conspicuous if his office is insignificant and overshadowed, so if he remains elective his powers must be made great enough so that he will tower up into public view where the people can see his good works and hit him with a brick. Any other condition makes politics the private bailiwick of a few professionals and develops bossism.

3. The power that makes the law should be obliged to face the public resistance to its enforcement: (a) so that public resentment will act only on those who have power to amend the law; (b) so

that laws will not be nullified by local non-enforcement.

As a judicial unit the county enforces state-made laws. The people of the county should not have power to nullify a statute by electing a local judge, sheriff or prosecuting attorney pledged to ignore or soften a state law. A public sentiment hostile to the law should find no vent save against the local members of the legislature, who have power to correct the law at its source in the legitimate way. As county courts cannot set aside or modify statutes the sentiment in favor of electing judges because of their practically legislative powers do not apply. Therefore let the county judges be appointed by the governor, let the court appoint its own clerk and its own sheriff to keep prisoners, execute warrants, summons and carry out sentences. Make the prosecuting attorney an appointive subordinate of the attorney-general of the state, who in turn should be appointed by the governor. Let the prosecuting attorney have as much of the sheriff's power as he needs to get witnesses and evidence and to make his own arrests.

Thus far we have roughly followed in the state the federal plan, the county courts being parallel to the federal district courts, the sheriffs to the federal marshals, the prosecuting attorney to the district attorney. The state will pay all the bills of the judicial system, maintain the courthouses, prisons, etc.

The county clerk does what the state requires. The state therefore should pay the bills and appoint the clerk, making him the local member of the staff of the secretary of state, who in turn should be appointed by the governor.

As a business unit for maintaining roads, schools, etc., the county is purely local in function and it should authorize the board of supervisors to do the work and collect the necessary taxes to pay for it. The supervisors should have power to hire and fire, for without this power they cannot compel efficiency in subordinates or be held responsible for

nation, but when I read it to the Los Angeles County charter board there was an unexpected roar of laughter, and as I halted in some confusion, I was informed that I had exactly described the existing local situation. Mr. Casey of Oakland who also heard the paper volunteered "If I had not known otherwise I would have supposed that you were reporting the results of my own intensive investigation into the workings of Alameda County."—R. S. C.

the tax rate. Let them appoint their own treasurer, surveyor, road commissioners.

Abolish the county auditor and establish a state examiner under the appropriate member of the governor's cabinet, with power to investigate and criticize any county management at any time and report to the public, but not to interfere or dictate.

In many well settled parts of the country there are no purely business functions of the county which could not easily and appropriately be taken over by the several cities and townships therein. This should be done where possible, whereupon the county as a political entity would disappear entirely. Nobody would mourn but the politicians, whose stoutest and most picturesque citadel would be destroyed.

THE PRESIDENT: We will now have the last paper upon this same subject of county home government, by Percy V. Long, Esq., city attorney of San Francisco.

MR. LONG: I shall confine myself to a discussion of San Francisco city and county. It may interest you to know that San Francisco, up to a few months ago, was the only instance of a thoroughly consolidated city and county in this country. There are some cities throughout the west and in the middle east which have a form of consolidation, but it is not such a pure form of consolidation as we have in San Francisco. I was asked some months ago to prepare a paper giving a brief outline of the experience of San Francisco and of the origin of the consolidated city and county government there, and I had some difficulty in finding the origin of the idea. I searched through the proceedings of the legislature in 1855, 1856 and 1857, and through all of the libraries which have been preserved from our fire, but found nothing to aid me; and it was not until I went to the state library in Sacramento, that I found the origin of the idea in a petition or memorial pre-

sented to the legislature in 1856, asking for a consolidation of the two forms of government in San Francisco.

The conditions had become almost intolerable. There was a good county government, but a vicious city government, and during that period the city lost, through the inefficiency and corruption of the city officials, vast properties, which would have today run into the millions—through the neglect and inefficiency of the city officials. This memorial set forth the necessity for a change of the form of government and the advantages of the proposed consolidation in the saving of expense of administration, by avoiding the duplication of officers having similar duties to perform, and also obtaining increased efficiency by avoiding conflict of authority between various officers of the city and of the county, such as the police force and the sheriff's office.

In order to meet the prayer of that petition, an act was drawn, consolidating the city and county governments, and after a period of long debate it became the organic law.

Under that act, one set of officials was to be elected. We did not have complete home rule, because, unfortunately, the legislature, from time to time, as Professor Reed has pointed out—in fact, at every session, passed statutes providing either more officials or making for some measure of interference; but it certainly reduced expenses, and, while a many-shaped measure, was a great improvement upon anything that had existed prior to the time that it went into effect. It was not until the constitution was amended in 1896, prohibiting the legislature from any interference in purely municipal affairs—and also, I think, in 1897 or 1898, a constitutional amendment was adopted, permitting a city and county to be merged under a freeholders' charter, and enumerating certain powers which such city and county might have, that we got a complete measure of home rule. Right after that, the present charter, or a portion of the present charter,

was drafted and submitted to the people, in 1899 was adopted, and in 1900 went into effect. That charter centered the power largely in the hands of the mayor; made the board of supervisors a body for the passage of such local police laws as might be deemed necessary, and imposed upon that body the duty of providing the revenue and apportioning it to the various departments. There are some features of the charter which, in my judgment, could be effectively corrected, and one is, some plan by which the police department and the sheriff's office could be made one. We have the peculiar state of affairs, by which an individual is arrested by a police officer for a felony and comes up for hearing before a police magistrate, who is a purely city official, he is bound over to the superior court for trial, and then handed over to the sheriff, who takes him away from the city prison to the county jail, and from that time on he is in the charge of the sheriff; and the sheriff has charge of the serving of all process and proceedings of that character. Some day I expect to see the city police force and the county police force in the control of one department. We have found, however, the consolidated city and county government highly efficient, and I believe it will be found that the use of the machinery of consolidated city and county government will increase throughout this country. In San Francisco, we have found it very successful.

ROUND TABLE DISCUSSION

Tuesday, July 9, 1912, 2 p.m.

Prof. Augustus Raymond Hatton, of Cleveland, presiding.

MR. ROBERT S. BINKERD of New York: California is the first state in the United States that I have ever known which understands what municipal home rule means. In the second place, it is the only state in the United States where I have even seen five persons together in

any place at any one time who had the slightest interest in county government. Municipal home rule is not an academic theory or a meaningless plank in political platforms, although in a large part of this country it is still so considered. It is a fundamental of statesmanship; so fundamental that the great historian Niebuhr, after spending a life time in the study of the history of the Roman Republic and the Empire, declared it to be his profound conviction that as a result of that study that municipal self-government is the basis of civil liberty. And once in a while a truly great statesman like Von Stein of Prussia has happened along, and he has seized upon municipal self-government as one of the great agencies by which a state shall be rejuvenated. He seized upon municipal self-government as one of his principal agencies for rejuvenating Prussia at the very time it was under the heel of Napoleon.

Los Angeles today is a living illustration of the fact that the only way to secure effective government and the largest amount of interest in that government is to throw the government upon the people. I had the pleasure of speaking to a conference of New York mayors on June 10, on "Since Everybody Believes in Home Rule for Cities, Why Don't We Have It?" and I took occasion to analyze, after having heard the governor of the state and the speaker of the assembly, speak the preceding year on municipal home rule, and swearing allegiance to it forever—I took occasion to analyze the legislation which has been put on the statute books in this past year by the New York legislature. Out of 142 laws that first came out of the grist 51 of them interfered in the most specific and irritating manner with the local government; and if I were to try to epitomize the value of the contribution of the state of New York to municipal government for the year 1912, it would read something like this: That Hoosic Falls may pave \$50,000 worth of its streets; that the city of Port Chester may bor-

row money to repair a fire house; that the town of East Chester may purchase a fire engine costing not over \$8000; that the city of Bedford might change the salary of its superintendent of education; that village trustees may now at last sprinkle village streets; that the town of Courtland may make an annual appropriation for the Helping Hand Association, and that Saratoga Springs might license dogs.

MR. F. S. SPENCE of Toronto: The peculiar form of administration that has grown up in the city of Toronto is an outcome of an English principle that people in the United States do not, for perhaps good reasons, adopt. We have heard a good deal about the wisdom of separating, the wisdom of discriminating, between the different governmental functions of administration and legislation; and that is right. The English people always discriminated between them, but the English people never looked upon it as a wise course to separate them. Consequently, in the English parliament and in the Canadian legislatures and in British and Canadian municipal councils we have what we call "responsible government." That is, the administrative body and administrative officers must always be responsible to the legislative bodies whose mandates they carry out. A British minister of the crown, who is a member of the cabinet council, which is the national administration, must have a seat in the dominion parliament. A member of the provincial administration in Canada must have a seat in the legislature. A member of the municipal administration in our city must have a seat in the municipal council, and be a part of it. We elect a board of control, a mayor and four controllers by the citizens at large. They are charged with the duty of carrying out the instructions of the legislative council—the body which is the council. They appoint on ratification by the council the administrative heads of all the de-

partments. Seven wards elect a council of 18 representatives. These with 5 members of the board of administration constitute the common council and they all sit together and make laws. They sit together to vote money. Then they assign to the board of control the duty of carrying out their instructions, spending their money, supervising affairs through the permanent heads of the departments. The board of administration meets every day, 11 o'clock every morning. The heads of the departments meet with the board for the purposes of their particular department. We have found out the system to work well. We do not have any recall provision because we have every elective official—member of the council and board of council—come back to the people every year for reelection. We have supervision by the electors every year, supervision of the administrative body by the council continuously, paid heads of departments, and I think that we have a plan based on the principles of responsible government that gives us a good many of the advantages that you propose to obtain by your commission plan.

There is a difference between our plan and the Massachusetts plan in this, that our election does not come until right at the end of the year of service of our alderman, and he has got a full year to put in. And when he is nominated—and any one can be nominated by any two citizens—he is elected in one week from the date of the nomination, the whole campaign takes only one week, and it does not take a great deal out of a man's time, and then we settle down at once for the next year's business. But with the idea of his election and the fact people are going to pass judgment upon him in a very short time, the anxiety of the general alderman is to make a record in the council because that is what settles the question of whether or not he will find favor with the people when the next election rolls around.

TUESDAY AFTERNOON SESSION

Tuesday, July 9, 1912, 3 p.m.

Mrs. Andrew C. Lobinger, the president of the Woman's Club of Los Angeles, presiding.

CHAIRMAN LOBINGER: We expected to have two meetings this afternoon, one for men and one for women, and what the women were to discuss was the things that are especially interesting to them, about health and children, but there could be no women's meeting really, because woman is the race, and what is interesting to her is interesting to everybody; and so, perhaps, it is a good thing that these meetings were put together. We hear of civil service reform and health and children and everything all together. There is no longer a woman question—only a human question, and we are all of us equally interested in everything.

The first paper was entitled "Honesty Plus Efficiency," by Meyer Lissner, Esq. Mr. Lissner urged that honesty is not enough—that there must be efficiency.¹

A paper on "The Need for an Adequate Civil Service Law,"² by Elliot H. Goodwin, of New York, secretary of the National Civil Service Reform League, was read.

Clinton Rogers Woodruff, as chairman, read the report of the joint committee on the selection and retention of the higher municipal officials.³

M. N. Baker of Montclair, N. J., read a paper entitled "Municipal Health Problems," which will be published in full in a future number of the NATIONAL MUNICIPAL REVIEW.

THE CHAIRMAN: We are very sorry indeed that Mrs. Caroline Bartlett Crane will not be able to speak.⁴

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 639.

² See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 639.

³ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 646.

⁴ On account of a disabling accident just before the time of her address, Mrs. Caroline Bartlett Crane, of Kalamazoo, Mich., was unable to appear again during the convention.

Mrs. Crane is an example of the new woman, a woman who has gone out into home-making on a tremendous scale. She is helping the people to have good homes. She goes into a town and studies it. She is really a friendly visitor when she goes into a city. They often think she is an unfriendly visitor, because she tells them the truth, and the truth is salt and bitter and good, and in the end they find that what she tells them has been a tremendous help. There are a great many cities in the United States that have had a civic awakening because Mrs. Crane has been to them and has studied their problems, has awakened the public to the need of a change, and we hope that sometime in the future we may have the chance of hearing of the work that Mrs. Crane has done (applause).

WEDNESDAY MORNING SESSION

Wednesday, July 10, 1912, 10 a.m.

Mr. Edward L. Hydecker read a paper on "Municipal Finances."⁵

THE CHAIR: We have next a paper by Prof. Carl C. Plehn of the University of California, a very well known tax expert, upon substantially the same subject, which will be read by Mr. John Mitchell, Mr. Plehn not being fortunate enough to be able to be present at this meeting.

MUNICIPAL TAXATION⁶

Taxation is perhaps more than any other one feature of government an outgrowth of local historical conditions. One can easily demonstrate the great merits of the British income tax, as illustrated during many years of experience, and its vast superiority to our taxes. But could the most silver-tongued orator persuade the American people to adopt it? I doubt it. But I do know that if we did adopt it we should have

⁵ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 577.

⁶ Condensed by the Editor.

to spend years of patient endeavor and educate a new generation or two to new ideals of taxation before we could make it work satisfactorily.

Our American municipal tax system seems to be peculiarly deep-rooted. Dignified and authoritative commissions and learned bodies have solemnly decided that some other tax, for example, a rental tax, would be better than the tax on land and buildings. But these proposals have fallen on deaf ears. It is, so far as I can see, useless to suggest substitutes. Nor am I of the opinion that the land and building tax is altogether bad.

The taxation of land and buildings on an ad valorem basis is the main support of our California cities. The chief faults of this tax are that land and buildings are not uniformly assessed in the same proportion to value, although everybody is convinced that they should be.

The causes of these conditions fall into two groups. One has its origin in the past and is so far as California is concerned happily bygone. That was the practice of apportioning state taxes on the basis of local assessments. This led each county, which in California is the administrative unit for taxation, to endeavor to value its property for purposes of taxation far below its true value. This, in turn, led inevitably to such chaos that uniformity was impossible. Moreover, the county valuations sank so low that if the cities had adopted the same valuations for city taxation, they would not have been able to raise the funds needed within the tax rate limits set by the people in their charters. Hence the cities had to go to the expense of a separate valuation at a higher percentage of true value, and this further confused the situation.

Since 1910 this state has enjoyed separation of state from local taxation and there has been no state ad valorem tax, except one. While it was not anticipated at the time of the adoption of separation that complete separation could

be attained from the very first, yet such has been the case. The state raises its \$15,000,000 to \$17,000,000 each year and pays over to the local schools some \$5,000,000 without recourse to an ad valorem tax.

Subsidiary causes of the inequalities are the elective system of choosing assessors, the absence of strong central control, the rapidity of city growth which makes land values shift erratically, the existence of many scattered pieces of unimproved land interspersed among the improved lots, the absence of any accepted rules of assessment, and lack of publicity and lastly, inertia and indifference.

There is a movement known as the "home rule" movement. The gist of this is well-known. It is really a movement for "local option" in all matters of taxation. It is backed, endorsed and supported by many who are single taxers, because they see in it a possible chance to get their hobby tried out. The advocates of this movement in this state assume to find in the report of the special commission on revenue and taxation, the commission partly responsible for the adoption of separation of state from local taxation, some support for their plan. That commission did, it is true, point out that after separation the cities and counties might enjoy a certain degree of home rule in matters of taxation. But the same report explained that this would have to be limited to a choice as to whether the assessed valuation should be low and the tax rate high, or the assessed valuation high, and the tax rate low. This is very different from the present proposal which is that cities and counties should have the power to tax whom and what they please, to exempt whom and what they please and to use any mode or method of taxation they please.

The first argument usually advanced is that if freedom is good for individuals it must also be good for communities; that freedom of this kind would tend to awaken interest in local government

and would make for good citizenship on account of that interest. In answer to this it may be pointed out that freedom is never attained successfully except in obedience to law. The great apostle showed the way to freedom when he said, "the law shall make you free." It is not "freedom" that is proposed, it is license.

Another argument is that the governing bodies of the cities know local conditions better than does the legislative or any other central governing body and on that account, they are better fitted than the state to deal with local taxation. The favorite illustration is what does the representative in the legislature from an interior farming community know about the tax problems of a commercial or maritime city. The unfortunate feature of this argument is that it ignores the fact that the whole historical trend in matters of local taxation has been in the other direction, namely, from wide local option and highly diverse systems, to central control and uniform systems. The great cities of Europe which started with a high degree of independence have *all*, without exception, surrendered to laws providing uniform taxation throughout the kingdoms to which they belong. The New England towns have likewise surrendered their original independence for the higher degree of freedom which comes with uniform law.

What guarantee is there that the power to grant exemptions to tempt capital would prove to be *not* a lure in the hands of the cities, but a club in the hands of capital. It is reported to have so worked in New Hampshire and in the southern states. But it is the intermunicipal wars that can be precipitated that are to be dreaded. San Francisco strives to build up her port by luring vessels from Los Angeles, San Diego and Portland. Los Angeles, San Diego and Portland retaliate and bitter feelings are soon engendered. No one of the contestants can be expected ultimately to outwit all the others and in the seesaw back and forth all lose.

It is not true that each city is sufficient unto itself and without an interest in other communities. Every community is interested in the business, the products and industries of other communities. Would not San Francisco, for example, suffer if Sonoma county undertook to lay heavy taxes on the raising of eggs? Would it not raise the price of garden vegetables in San Francisco if San Mateo County should by tax exemption fill its market gardens with factories?

There is, in fact, among the adherents of this so-called home rule movement a considerable body of "single-taxers" whose object is ultimately to remove all taxes from every class of property and persons except land and landowners. This is not the time nor the place to debate the merits of the single-tax. It has great merits, and equally great defects, but it is social reform and not merely tax reform. The object is to use the power of taxation to take for the community the entire income from land. The institution of private property in land, with full freedom to enjoy all the emoluments which come from such ownership, was one of the best gifts our forefathers gave this country, and has contributed very largely to the growth of the country and to the development of its resources. There is no other single institution that contains so powerful an incentive to industry and thrift, and I find it hard to believe that the laborer in the field should be deprived of the profit on the increase in the value of his land. Be that as it may, a single city or a single county is too small an area in which to try the experiment. Suppose that one city goes the full length and places all the taxes on land, will not under local option some other community endeavor to tempt settlers by offering to leave to them half or three-fourths the value of the "unearned increment?" Such experiments should be tried out only under uniform laws, state wide in their application.

We may now turn to the question as to what direction the reform of local

taxation should take. The main difficulties are administrative. The administration must be strengthened both as to the personnel and as to the methods used. The work of an assessor is intricate, many-sided and for its proper execution requires training and experience. It is work of a professional character and cannot be learned in a short time. The assessor must know the law. The revenue laws of California printed in fine print with the barest digest of the cases decided by the courts in interpretation of the law, make a volume of over 500 pages. To apply this law to all the varying classes of property under the varying conditions of ownership is even more difficult than to master the law.

We are fortunate in California, as compared with those states in which the assessment districts are the small townships, in that in California the main assessment district is the county. We are also fortunate in that the assessors are elected for a term of four years, and in a large number of counties the habit of reelecting the assessor has become deep-rooted. Our main difficulty is the duplication of work and expense arising from the employment of city assessors to revalue some of the same property valued and assessed by the county assessor.

It is at least questionable whether popular election is the best method of selecting an officer whose work is so professional in character as that of assessor. But probably any other method will be contrary to the democratic spirit of the times. No matter how selected, however, the assessors should be brought under the control of a strong central board. This would be a protection to the assessor himself against undue influence from his constituents, would emphasize the professional and impartial character of his work and would enable the enforcement of uniformity between different municipalities and counties, which is of vital importance to each.

It may be argued that in states which

have separated state from local taxation there is no necessity for central control. It is true there is not the same necessity for it as there is when the state imposes an ad valorem tax on the same basis of assessed property. But if the arguments for uniformity of taxation in all different communities advanced before are sound, then central control is highly advantageous. Such a central supervisory board would be the guide and instructor of new assessors, would aid and support the experienced officers and could be the board of assessment for inter-county or inter-municipal property and for certain classes of property not easily assessed by the local assessors. It would be the statistical bureau for the accumulation of information absolutely necessary for the intelligent betterment and adjustment of the tax laws and of their administration.

It is also necessary to have improved methods of assessment. It is too easy to copy last year's rolls, add improvements and changes made, and to guess at changes in values. But the most important means of all for securing uniformity of assessment is to insist everywhere that all assessments should be made at full value.

It is because the mind more readily grasps differences in absolute quantities than in relative ones that the practice of assessing at an assumed percentage fails to result in equality.

Of subsidiary devices the most important, to my mind, is the adoption of a number of fixed rules as to computing the values of related pieces of land, and similar rules for computing the values of lots of varying sizes, and of buildings. There are a number of such rules, some better than others, such as the Somer's system, the New York City rule. I will not enter into any discussion of the relative merits of these rules. Any rule is better than no rule, any rule is better than guesswork.

It is also possible to use more fully than is the practice the information as

to values that is afforded by rental incomes. The essential for such a rule is to determine first the class and size of building that would under existing circumstances most fairly exploit the value of the site, and compute its rental. This rental capitalized at some fixed rate, would determine the value of the site, and the building, and after due deduction for the value of the building would give the value of the land.

The greatest of all devices for perfecting assessments is publicity. At present the rolls are open to inspection for a certain period of time. Few taxpayers ever take advantage of the privilege to inspect them and fewer still learn much more than their own assessments. If the rolls could be published in sections showing all assessments in each of certain small neighborhoods, so that tax-payers could compare their assessments with those of others, public opinion would soon become a powerful aid to accuracy of assessment.

The main contentions of this address then are: that municipal taxation requires more expert officials working under uniform rules and laws in each state, subject to the guidance and control of central authority, improved technical methods, assessment at full value and greater publicity.

It may be contended that this deals solely with practice and ignores theory. If so, I welcome the criticism. Sound practice is of itself sound theory. It will be time enough to talk of new taxes, substitutes for the personal property tax and other theories when by developing the administration of the main tax upon which we have come to depend we shall have attained a perfection of administration capable of enforcing taxation equitably between man and man.

THE PRESIDENT: The next paper is, "Budget Making: Its Necessity and Significance," by Dr. Jesse D. Burks, director of the Philadelphia bureau of municipal research.

THE MUNICIPAL BUDGET AS A COMMUNITY PROGRAM

One of the items in the municipal budget of Philadelphia for 1913 as originally formulated was the following:

Item 3. Bureau of Water. For wages of mechanics, drillers, laborers and other workmen connected with repairs to and improvement of the distribution and the laying of service mains, the installation and repairs to meters, the high pressure fire service, the transportation of water rent inspectors and the traveling expenses of pipe inspectors, \$402,957.

This item illustrates certain principles or lack of principles, in municipal budget-making which are of such wide application that it will be worth while to discuss in some detail the method involved and its significance to municipal communities.

In the first place, it will be observed that the wording of the item is ambiguous, if not actually unintelligible. It proposes an appropriation of something over \$400,000 for a variety of purposes related, to be sure, to the activities of the water bureau, but otherwise not bound together by any clearly defined principle of classification. The item might almost as well read "for the general purposes of the bureau of water, \$402,957."

This item, not being subject to unmistakable interpretation, cannot be fitted in to a well considered and clearly defined plan for supplying a community of 1,500,000 citizens with a prime necessity of community life. This is one of sixteen items in an ordinance appropriating to the bureau of water, in 1912, the sum of \$1,098,671. Some of the other fifteen items are more clear cut in their language than the one under consideration; but, taken as a whole, the sixteen items fail to give an adequate conception of either the organization or the functions of this important branch of the public service.

An analysis and classification of the details included in the sixteen appro-

priation items discloses the fact that the bureau of water is performing twelve easily distinguishable functions each with its specific problems of organization and administrative method. To the extent, therefore, that the mayor, the director of public works, the chief of the bureau, the city controller, interested taxpayers, and individual members of the appropriating body desire to think intelligently about the problems of water supply in Philadelphia, it is obvious that these problems must be broken up into their elements and classified under headings that will facilitate the laying of plans for economical and efficient management.

The unanalyzed and undistributed item 3 which has been used for purposes of illustration, when broken up into its constituent parts and so classified as to show the functions affected and the services and things to be purchased, assumes the following form:

1. LEVYING OF WATER REVENUES—DIVISION OF REGISTRAR

OPERATION

Services other than personal

Carfare of inspectors.....\$2,000

2. EXTENSION, CARE AND INSPECTION OF DISTRIBUTION MAINS AND ATTACHMENTS—OFFICE OF SECOND ASSISTANT TO CHIEF

OPERATION

Services other than personal

Railroad fares..... 500
Street car fares..... 4,500
Hotel expenses—pipe inspectors... 1,000

3. METER INSTALLATION AND REPAIRS

Personal services

Superintendent of meters
at \$4.00 per day (325 days)..... 1,300

MAINTENANCE

Personal services

Plumber, 18 at \$3.50 per day (325 days)..... 20,484
Machinist, 3 at \$3.75 per day (325 days)..... 3,657
Laborer, 18 at \$3.00 per day (325 days)..... 17,550

Laborer, 30 at \$2.50 per day (325 days)..... 24,360
Laborer, 28 at \$2.00 per day (325 days)..... 18,200

4. EXTENSION, CARE AND INSPECTION OF DISTRIBUTION MAINS AND ATTACHMENTS

OPERATION

Personal services

Drivers, 27 at \$3.25 per day (325 days)..... 19,737

MAINTENANCE

Personal services

Plumber, 5 at \$3.60 per day (325 days)..... 5,850
Caulker, 37 at \$3.00 per day (325 days)..... 36,075
Driller, 4 at \$3.00 per day (325 days)..... 3,900
Laborer, 2 at \$3.50 per day (305 days)..... 2,130
Laborer, 24 at \$3.00 per day (305 days)..... 21,960
Laborer, 17 at \$2.50 per day (305 days)..... 12,954
Laborer, 185 at \$2.00 per day (325 days)..... 120,250
Laborer, 30 at \$2.00 per day (305 days)..... 18,300

CAPITAL OUTLAY

Personal services

Caulker, 10 at \$3.00 per day (325 days)..... 9,750
Driller, 4 at \$3.00 per day (325 days)..... 3,900
Laborer, 84 at \$2.00 per day (325 days)..... 54,600

The breaking up of this item into its constituent elements and the systematic classification of these elements under general descriptive headings illustrate possibilities of systematic budget making which have thus far been realized in very few cities of the United States. In main outline, the method of classification illustrated in this concrete example is the following:

1. The proposed or actual appropriations for each kind of service (function) performed by each sub-division of the municipal organization are grouped together under appropriate headings. This grouping is designed to make clear the proposals of administrative officers

as to each activity for which support is requested; to place upon the appropriating body responsibility for specifying what activities shall and what shall not be carried on by each department, bureau, or office; to fix responsibility upon the mayor for approving or disapproving appropriations for the support of each activity; and to serve as an authorization and mandate to administrative officers for the performance of clearly defined services.

2. The character of proposed or authorized expenditure for the performance of each class of public service is distinctly set forth—that is the amounts requested or appropriated for administration, operation (ordinary service), maintenance (repairs and replacements); fixed charges (rents, interest, funds for the payment of debt, etc.); and capital outlays for permanent improvements.

3. The specific services and materials for which each bureau or office requests or for which it is granted appropriations to carry on its several activities are set forth in proper detail under the following standard appropriation titles:

A. *Personal services* (including salaries, wages, and other compensation for personal services).

B. *Services other than personal* (including transportation, subsistence, postage, telegraph, telephone, advertising, heat, light and power, and repairs by contract).

C. *Materials* not already adapted for use as supplies, equipment, etc.

D. *Supplies* (including stationery, fuel, wearing apparel, and provisions).

E. *Equipment* (including live stock).

F. *Structures and parts, and non-structural improvements to land.*

G. *Land.*

H. *Capital outlay* for rights and obligations, and payment of debt.

I. *Fixed charges and contributions* (including rents, interest, insurance, etc.).

J. *Pensions and retirement salaries.*

K. *Losses and contingencies.*

Such systematic and uniform classification of requests and appropriations

not only furnishes the means for avoiding ambiguity and uncertainty in the intent of individual items, but makes possible concise and illuminating summaries which are absolutely essential to the intelligent consideration of the financial plans of a single department, or of the municipality as a whole. So long as public officials or interested citizens are limited in their vision to single appropriation items, taken one at a time, or to unanalyzed or unclassified totals, it cannot be expected that large problems of financial and administrative policy will receive intelligent consideration or satisfactory solution. Such questions of policy cannot even be sharply focused much less given their proper perspective unless they are thrown upon a screen as part of an inclusive and well illuminated picture of community needs and community resources. Such a picture obviously cannot be drawn unless, by uniform analysis and classification, all parts are prepared to be fitted in to a single inclusive scheme.

Reverting again to item 3 of the appropriation to Philadelphia's water bureau, this item cannot be combined with other items for the same bureau or with similar items of appropriations to other offices, unless a method of segregation and arrangement be found which will provide a common denominator; limited number of standard headings under which details for all departments may be brought together. Such standard headings are provided by the method of classification described above. It is substantially the same basis of classification employed in the budgets of New York, Chicago, and proposed by the president for use in the formulation of a national budget. It is rapidly being adopted by other municipalities as they face fairly the problem of replacing outworn, haphazard, grab-bag methods of budget making by a systematic and intelligible program of community service.

By reason of the adoption of such a plan of segregating and classifying all departmental estimates for 1913, the

city controller of Philadelphia was able, on four pages of his annual statement to the city councils, to present this year for the first time a clear and comprehensive summary of departmental proposals. On one page he presented the request of each department, bureau, or office classified in five columns as "administration and other general expenses; "operation;" "maintenance" (repairs and replacements); "fixed charges and contributions;" and "capital outlays." On another page he showed the amount requested for each of the fifty general functions under which all departmental activities were included. The "care of dependent and defective persons," for example, is a function performed by three different offices. The amounts requested by all three of these offices were brought together under the general heading. The amounts requested for the performance of each function were further classified to show separately the estimates for current expenses and for capital outlays separately.

On two pages the amounts requested by the several departments and offices were distributed in columns showing the specific amounts proposed for personal services, services other than personal, supplies, equipment, repayment of debt, etc.

The four pages of this summary furnished by the controller undoubtedly have been the occasion of wider public interest and more definite thinking on the part both of administrative officials and of the appropriating authority than any similar document which has appeared in recent Philadelphia history. The three classified summaries referred to have raised, in unmistakable form, the main questions of financial policy which must be met and solved during the remaining three years of the present administration. The summaries have, for example, focused attention upon the fact that of the \$62,600,000 requested for 1913, over \$35,000,000 is for the current operations of the city government which is about \$6,000,000 in excess of the revenues avail-

able under the existing tax rate. It further directs attention to the fact that almost \$9,000,000 or 30 per cent of the year's revenues will be absorbed in the interest and sinking funds necessary to carry the city's debt of \$100,000,000. It calls attention to the fact that unless further revenues are provided, the city will not only be unable to meet its needs for current operation, but will be unable to meet the interest and sinking fund requirements upon loans for permanent improvements for which \$27,000,000 are requested by the city departments.

The controller's summary statement further emphasizes the fact that the municipal budget constitutes essentially the community's plan for services affecting vitally the health, education, recreation, safety, convenience, and prosperity of its 1,600,000 citizens. Philadelphia, like most other cities of this country, has in the past neglected the opportunity which budget making time each year offers to center the combined attention of citizens and officials upon 100 per cent of the community's need for public service. With the growing appreciation of the intimate way in which the welfare of every citizen is bound up with the community's annual effort to plan for a year's public service, Philadelphia, or Los Angeles, or New York will every year come to realize more nearly the value of city planning that is based upon facts rather than upon guesses; of a service program that is more than a collection of vagrant appropriation items; of citizenship that is informed and exacting instead of merely suspicious and critical; and of municipal management that is open-eyed and efficient instead of merely well-intentioned and honest.

THE PRESIDENT. The next and last paper this morning will be upon the subject of "Revenue Accounting," by Dr. L. G. Powers, of the bureau of the census, whom I have the pleasure of introducing to this audience.

MR. POWERS: I confine myself to one phase of what you might call the popular control, that which comes through revenue accounting.

REVENUE ACCOUNTING¹

The best municipal accounting is the accounting that provides the most information of value in the administration of cities. To this proposition I add a second, which is that the best governed city is one in which the citizens as a whole take an active interest in the conduct of municipal affairs. Citizens can not form an intelligent judgment with reference to questions of public policy unless they have at their command all the information necessary therefor; and hence I join the two propositions stated to a third: the best revenue accounting must provide not only the information needed by city officials for the conduct of their offices in carrying out the provisions of revenue laws, but also that which is required by the citizens for an intelligent judgment concerning the success or failure, the faithfulness or neglect, with reference to the laws mentioned, of their public servants in the performance of their duties.

Taking these three propositions as a text, I will call your attention to five aspects of the subject to which I assign the specific titles of (1) accounting with revenue accruals; (2) accounting with imaginary revenue; (3) the accounting relations of revenue and costs of government; (4) the accounting relations of revenue and the working capital of municipalities; and (5) the accounting relation of revenue and municipal assets and properties.

ACCOUNTING WITH REVENUE ACCRUALS

When the first society of public accountants was organized in Scotland about sixty years ago, accountants in the commercial world had already begun

to recognize the difference between revenue earned or accrued, on the one side, and revenue collected or received on the other. In basing their statements of profit and loss upon revenues earned, accountants established rules for distinguishing between (1) revenues billed or recorded in accounts, but not earned or accrued; (2) revenues earned or accrued, but not billed or recorded; and (3) revenues earned or accrued and also billed or recorded. By the use of their accounts with revenue and their recognition of the differences mentioned, business men were enabled to ascertain the result of their business operations.

Private business undertakings are conducted with the aim of securing profit; but city business, as all other governmental business, is never conducted with that primary end in view. It is the business of (1) protecting person, property and health; providing social necessities and conveniences; caring for the dependent and delinquent classes; bettering social conditions, and performing other services and carrying on other activities in the interest of the common good; and (2) obtaining the money to meet the costs of the services performed and the activities carried on. The differences noted between governmental and private business naturally and inevitably give rise to many differences in accounting. The transactions of a city, as a business corporation, can not be summed up in terms of profit; and the reasons for the use of accounts with revenue accruals in governmental business, other than those for governmental productive enterprises like water supply systems, can never be identical with those for their use in private business for gain. Recognizing this fact, the great majority of governmental accountants and officials in the United States prior to the year 1900 had no systematic accounts with revenues accrued as distinguished from revenues received, and practically took no notice of revenues recorded or billed as distinguished from revenues received, with the exception of the general prop-

¹ Condensed.

erty tax and special assessments. The introduction by Chicago and a number of other cities in the early years of this century of accounts with revenue accruals marks the beginning of a new era in governmental accounting in the United States.

The trouble with city revenue accounting without proper controlling accounts and accounts with accruals is that it provides infinite invitations and opportunities for "forgetting," and creates a great and unknown gap between the revenues that some cities ought to receive under their laws and with their general property assessments and those which they actually do receive.

The accounts with revenue accruals which were introduced by Chicago, as stated, undoubtedly has many imperfections, as all schemes for extensive reform must have in any branch of human activity. Their greatest value lies in their recognition of the need of accounts to show the revenues which a city ought to receive during a given financial period, as well as those which they actually do receive. The new accounts, by assisting in securing more efficient administration of revenue laws, are assisting in lifting the burden of government from the honest citizens and taxpayers and compelling the shifty and dishonest ones to meet their obligations to the government. They have also provided the means of measuring the efficiency of those charged with the duty of enforcing revenue laws and collecting revenues.

These desirable ends have not, however, been attained by any city introducing accounts with accruals to any such extent as is possible. The accounts in some cities have too often been employed principally in the preparation of balance sheets with only small administrative value, to the neglect of their use as measures of the efficiency of the municipal machinery for apportioning and collecting revenue. The annual reports of city financial offices having these accounts should present lucid statements or summaries showing for each and every

class of revenue the amounts registered or billed during the current and preceding years, the amounts that ought to have been realized, and those that were realized. These figures should also be accompanied with the estimates of revenue receipts that were made at the beginning of the year when the tax rates were established. Further, such summaries and exhibits to be of the highest administrative or popular value should be accompanied with explanations and statements of the reasons for any failure to make the revenue collected equal to the amount which ought to have been realized, or to that which had been estimated as realizable.

ACCOUNTING WITH IMAGINARY REVENUES

One very forceful reason for the preparation of summaries as mentioned above is the fact that many American cities without any clear apprehension of the difference between accrued revenues and revenues recorded in tax registers or ledger accounts have been led into the administrative error of conducting their business on the assumption that their revenues were larger than they actually were.

One of the most marked cases of the evil results of this accounting with "imaginary revenues" and its resulting error, the transaction of business on the basis of uncollectable taxes, is found in the City of New York. The extent to which this legal authority to borrow money on the basis of the accounting record with imaginary general property taxes has been exercised by New York City in the past is evidenced by the fact that when the present comptroller of New York City took office, the outstanding revenue loans issued to redeem similar loans of other years, and thus based largely upon the old accounts with imaginary because uncollectable taxes, amounted to approximately seventy million dollars.

The facts passed in review bring clearly to mind the truth that accounts with so-called revenue accruals may be made

instruments of evil as well as of good influence in the administration of city affairs. If associated or combined with other accounts so as to assist officials in ascertaining the extent to which the revenue receipts of a year fall short of or exceed those expected, or the extent to which they fall short of the amount that ought to have been collected by a well-conducted business administration, they are of great value.

ACCOUNTING RELATIONS OF REVENUE AND COSTS OF GOVERNMENT

Revenues are always levied and collected for the purpose of meeting the costs of government incurred for the common benefit or the advancement of the common interests of the citizens. Good revenue accounting must among other ends secure the following: It must prevent the administration from placing any reliance upon, or making any use of imaginary revenues with the consequent evil results, the wrongful transfer of some of the current costs of government upon the future. It must aid in securing the just and equitable enforcement of revenue laws, the collection of all the revenue that ought to be received during a given fiscal year, and provide means for measuring the efficiency of the revenue collecting service.

One of the most pressing of these problems for a majority of our American cities is how to obtain revenue legislation that will enable city officials to secure receipts from revenue without the necessity of annually borrowing large amounts of money on short term or revenue loans or, as they are called in some cities, anticipation tax loans, anticipation tax warrants, etc. All amounts paid as interest on these loans are generally included in summaries of current financial transactions as current expenses of governmental operation and maintenance.

These payments for interest on revenue loans are for most cities in large part, if not wholly, revenues wasted; not by inefficient officials, but by the oper-

ation of unwise revenue laws. The proportion of this waste may be seen from the fact that some cities are borrowing on these short term loans amounts equal to 80 and even 90 per cent of their general tax levy, and borrowing at a rate of interest that makes the charge equal to 4 per cent of the current costs of governmental maintenance. The stopping of this annual waste is something well worthy of consideration in schemes of revenue accounting and in the presentation of summaries of current financial transactions. Revenue should not be burdened with this cost of government, and the best revenue accounting will find a way of forcibly setting forth this waste in its summaries of revenue and costs of government.

ACCOUNTING RELATIONS OF REVENUE AND WORKING CAPITAL

Every well-managed enterprise, in addition to the capital represented by its fixed properties and equipment, has a working capital in such amounts as will secure its profitable use and reduce transient borrowing to a minimum consistent with the largest profit on the investment of the stockholders. A few of our American cities have such a working capital, and as a result, borrow but little if any money on temporary or revenue loans. The result is that by saving the large interest charge of other cities they are able to enlarge the field and amounts of their expenditures for useful purposes, and to keep their tax rate much lower than the cities without any such working capital.

Comptroller Prendergast of New York City, aided by his very competent assistant, Mr. Fisher, the president of the National Association of Comptrollers and Accounting Officers, has grasped this feature of the administration of municipal revenue, and by a proper analysis of his accounts has opened the way for decreasing his revenue borrowings. This he has accomplished by securing a change in the date of assessment and tax levy

and tax collection, and the substitution of semi-annual for annual tax collection. The changes made save the city not far from two million dollars annually on interest charges.

ACCOUNTING RELATION OF REVENUES AND MUNICIPAL ASSETS AND PROPERTIES

The uncollected but collectable portion of accrued revenues constitute a part of the assets of the cities, and has a place in all so-called balance sheet statements, or statements of the financial condition of cities, whether those statements are of the current business of raising and expending money, or of all the properties, assets, liabilities and resources of the municipality. In private business these statements of financial condition are absolutely essential for any wise administration, and the importance of such statements in private business has led and is leading many accountants and governmental officials to overestimate their importance in municipal affairs. I do not wish to be understood as decrying their use in city business administration. I do wish to say that these summaries are of value; but that in the present chaos of revenue laws and the administration of those laws, the most important aspects of revenue accounting are those which will aid in collecting the revenue that ought to be received; which will call attention to archaic revenue laws; and by changes will save the waste that follows the unwise and unnecessary use of revenue loans.

THE PRESIDENT: There is a committee from San Francisco that desire to introduce a resolution or make some remarks in respect to the international exposition which is to be held there.

MR. PERCY V. LONG: In that connection I desire to offer a resolution to be considered by this body, or by the council, as the custom provides.

Mr. Long here read resolution to the

effect that the invitation extended to this League by the city of San Francisco, the League of California Municipalities, the Chamber of Commerce and Civic League of San Francisco to participate in a world's municipal congress and international municipal exhibition in connection with the Panama Pacific International Exposition in 1915 be accepted.

THE PRESIDENT: The time and place of fixing the annual meeting of the League is necessarily referred to the council. We cannot always determine that one year in advance. If the resolution is referred to the council I am sure it will have very careful consideration.

MR. MEYER LISSNER: I move that the resolution be referred to the council.

The motion was duly seconded.

MR. H. A. MASON: I want to extend to this League, on behalf of the League of California Municipalities, the cities and towns of the state of California, a very cordial invitation for you to accept this invitation. We are ambitious. We trust that an exhibition of that kind, a meeting together of all of the organizations engaged in this line of work, will be productive of the highest public good, and we trust that you will vote to adopt, with the true eastern spirit, the resolution that has been presented, and to accept the invitation which we so freely give you.

MR. ADOLPH KOSHLAND of San Francisco: We heartily second the invitation of the California League of Municipalities to furnish an exhibit at that time; but as a municipality we are now setting our house in order; we are still building up, and we think that in 1915 we shall be ready to show to the other communities of this country a city government and a city administration which we hope will be well worth the study of the governmental experts which shall come to the convention. We realize that it is

unusual for the council of the National Municipal League to determine so far ahead of the time of holding its convention where that convention shall be held, but we call attention to the fact that inasmuch as during the Panama Pacific International Exposition there will be a great many world congresses held in San Francisco, that it will be an opportune time and place for this convention to adjourn to then, so that it may take advantage of the world exhibit, so that it may also take advantage of the fact that a new city, the most modern city in the world, a city regenerated both physically and spiritually, may then become an object lesson for the convention.

ROUND TABLE LUNCHEON

July 10, 1912, 2 p.m., Hotel Alexandria

Professor Thomas H. Reed of the University of California presiding.

The papers of the morning session were thrown open to discussion and were considered in addresses by Mrs. Charles Farwell Edson of Los Angeles, Professor Albert Bushnell Hart of Harvard, Dr. Jesse D. Burks of the Philadelphia Bureau of Municipal Research, Professor Augustus Raymond Hatton of the Western Reserve University, Cleveland, Robert S. Binkerd, New York City Club, and Chester H. Rowell, editor of the *Fresno Republican*. George H. Dunlop gave an account of the establishment and conduct of the Los Angeles *Municipal News*.¹

WEDNESDAY AFTERNOON SESSION

Wednesday, July 10, 1912, 3 p.m.

Meyer Lissner, Esq., of Los Angeles presiding.

THE CHAIR: The first paper will be a discussion of "State versus Municipal Regulation of Public Utilities," by two Californians, who are eminently

qualified to discuss the subject intelligently. Mr. Eshelman, who will present the view point of the state regulation, is the chairman of the state railroad commission of California. If you will indulge me for just a moment, I would like to tell you about the railroad commission of the state of California, as it existed for about twenty years last past, and as it exists now and has existed for the past year and a half. The constitution of California has provided for a railroad commission ever since it was adopted in 1879, but it is simply a matter of the history of politics, when I remind you of the fact that the government of California, and of course, the railroad commission, because it was a very important matter to the railroad company, was, up to very recently, under the complete domination and control of a very great railroad corporation, the Southern Pacific. That was changed, and Mr. Eshelman is the head of the new regime of the railroad commission. The old commission did absolutely nothing except draw its salary. It was absolutely inert and inane—purposely so.

I want to relate one little incident of something that happened recently, which will, better than mere words of descriptive matter, tell you the difference between the old regime and the present. The harbor of Los Angeles is known as San Pedro. It was the town of San Pedro before the consolidation, and it is still called San Pedro, although now a part of the city of Los Angeles. The rate between the city of Los Angeles and the harbor, for freight, was practically prohibitive, although it carried probably more freight than any similar stretch of railroad in the state. They charged as much for those twenty miles as they did for several hundred miles in other parts of the state. One of the first things that the shippers of Los Angeles naturally did was to apply to the new railroad commission for a consideration of that rate and a reduction of it. The new railroad commission heard testimony, took it under consideration,

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 441.

and determined that the rate should be reduced, and issued an order that the rate should be reduced materially; about a third on the average. The railroad company, of course, protested and took the matter into the federal court to prevent the going into effect of that rate. The railroad commission filed a demurrer to the complaint, and on the hearing of that demurrer, the federal judge decided that the railroad company had no case, and threw it out of court. The railroad company desired to take the matter higher, and so they suggested to the railroad commission that they, of course, had their constitutional rights, which they had a right to test out to the last extremity, and they would suggest that the station agent at San Pedro be arrested and habeas corpus might be issued in the matter, and so the matter might be taken to the court of last resort. The railroad commission said to those gentlemen representing the railroad company, "We wont do it exactly that way. If we arrest anybody in this matter, and we will arrest somebody unless this rate goes into effect at two o'clock next Thursday afternoon—if we arrest anybody, we are going to arrest the highest responsible officials of the Southern Pacific whom we can find in this state;" which meant the president of the road and the vice president. That was the ultimatum of the railroad commission. At a quarter of two on the day set, the railroad attorneys and officials came to the office of the railroad commission, and said, "Gentlemen, we surrender; the rate goes into effect." And it is now in effect. I have the honor to introduce the president of the railroad commission of California, Mr. J. M. Eshelman.¹

THE CHAIR: I have the honor to introduce the distinguished son of a distinguished father, Lewis R. Works, Esq.

MR. WORKS: The paper that I shall

¹ Mr. Eshelman's paper is published in the NATIONAL MUNICIPAL REVIEW, vol. II, p. 11.

present for your consideration deals solely with the question of the regulation of privately owned public utilities, and bears no reference whatever to one of the questions that Mr. Eshelman discussed with a great deal of vigor; that is, the question as to whether or not the city of Los Angeles—if that is the city that he has had in his mind in presenting that question—should regulate and control the distribution of water from its own water system outside the city, or whether that regulation and control should rest in the state. It may be proper for me to say something upon that question, because I do not agree with Mr. Eshelman—certainly as to the legal question; and I may say practically the same as to the moral question. However we have to deal with the question as to what the city of Los Angeles and what the state may do upon this phase, as a purely legal question; because it is my opinion, that the state, cannot legally or constitutionally control or affect the regulation of the water supply to be distributed by Los Angeles to people outside its borders.

MR. ESHELMAN: I did not say that the state had that power. The power lies between the state and the local board of supervisors.

MR. WORKS: I do not grant that, either. Mr. Eshelman presents the question, that wherever that power may rest, outside the city, it is between the state and some—what I may term alien power, and I do not agree that that power rests anywhere; but I do not propose to discuss that matter right now, but I may, and in fact, I will, if the time is not too near consumed when I finish the reading of my paper, say something orally upon that question. I cannot hope to touch it in the manner that Mr. Eshelman has done, because he has put his ideas down in a systematic and consistent whole; but I want to lay before you some things that may be said upon the other side of that particular question, whether I

may be able to impress you that my views with reference to that question are correct or not. But please understand that the question that I am about to present to you is simply as to the regulation and control of privately owned public utilities as between city and state, and, as you will see, not limited entirely to the state of California, but in a somewhat broader view.

Mr. Works then read his paper.¹

THE CHAIR: We will next hear a report upon "Excess Condemnation," by Robert S. Binkerd, of New York, secretary of the New York City Club. It is a report of the League's committee on excess condemnation, of which he is chairman.

MR. BINKERD: "Excess Condemnation" is a highly technical subject and before reading to you the very terse conclusions of the committee on that subject, I will try, so far as possible, to divest it of any technical clothes. The power of condemnation is the power on the part of any governmental agency to take, by process of law, private property for public use. Practically every constitution of every state in this country contains, in substance, the provision that private property shall not be taken for public use without due process of law. The highest courts of most of the states of the United States, however, narrowly construed what constitutes due process of law, and they narrowed the power of cities to take private property for public uses, to the actual lines of the physical improvement, so that a city in opening a street, cannot take a single inch outside the width of the street on either side; and the same rule applies to parks, playgrounds, sites for public buildings, and any purpose for which private property can be acquired by a city. Now, excess condemnation means the right on the part of a city to take abutting or surrounding land adjacent

to a public improvement. It is excess because it is beyond what is now legal for it to take, although the term is wholly misunderstood in Europe—or not understood, for the reason that there are no such limitations upon the power of taking private property for public use, in European cities. (Mr. Binkerd then cited instances of public improvements in European cities by the exercise of the power of excess condemnation, mentioning the work of Baron Haussman, and important public improvements in Paris and elsewhere.) One of the most important improvements of recent years, which has been done by the city of London, England, was done almost exclusively by what we would call excess condemnation, and the exercise of this power shows that the average recoupment on re-sale of surplus land is about 40%, because, of course, the power to take additional adjoining land involves also the power to hold, to lease or to sell, with or without restrictions, the land which is not needed for actual construction. Now, I call your attention to the fact that there has been notable progress in the last year; excess condemnation having already been achieved in Massachusetts, and being involved in the pending Ohio constitution, and having passed the Legislature of the state of New York; and I will read to you the very brief conclusions of this committee, which are as follows:

COMMITTEE ON EXCESS CONDEMNATION

The committee of the National Municipal League on "excess condemnation" has practically finished its labors. Thanks to the coöperation on the part of the officers of the organization the committee received the services of Herbert S. Swan, who has gathered together the most satisfactory amount of information on this subject ever compiled; together with a large amount of data from foreign countries and otherwise available in English.

This material is being edited for publication in a volume in the National

¹ See NATIONAL MUNICIPAL REVIEW, vol. 11, p. 24.

Municipal League Series on the control of lands adjacent to public improvements.

The term "excess condemnation" is one not understood in Europe unaccustomed to rigid constitution or to rigid limitation on the powers of government. In America, however, the term "excess" is properly usable because of the great constitutional limitations placed upon governmental powers and the restrictive decisions of our courts in interpreting those powers.

During the past year notable progress has been made. Following an advisory opinion of its highest court, Massachusetts has amended its constitution so as to confer the power of excess condemnation upon its cities. An excellent provision has also been incorporated in the pending Ohio constitution.¹ The New York amendment, which was defeated last year, as been revised and patterned after the Massachusetts provision and was passed by the recent session of the New York Legislature; and at the Third Annual Conference of New York Mayors held at Utica on June 10, was enthusiastically endorsed by the mayors of some thirty-five cities of the state.

Conclusions of the committee

Your committee having in hand the material collected by Mr. Swan and the able and exhaustive legal discussions by the Hon. Walter L. Fisher, the secretary of the interior, and Hon. John DeWitt Warner of New York City, has arrived at the following conclusions:

A city is entitled to powers which will enable it to secure the fullest use of city land and the greatest possible freedom in adjusting its streets, parks and transit systems to the needs of city life;

From time immemorial English common and statute law has recognized that government would be paralyzed if public necessity and convenience were

not paramount to private ownership and enjoyment of land;

In built-up portions of modern cities necessary street adjustments cannot be made without leaving much of the abutting property in unusable or unsuitable form;

The scattered private ownership of such parcels long retards proper development along the improvements, and represents an economic drag on the whole city;

It also often involves hardship on the private owner assessed for a benefit which has actually been a detriment to him and destined to wait many years before the owner of contiguous usable land will unite with it and after at his own price the otherwise unusable remnant.

For a city to spend thousands or millions of dollars in the creation of parks, boulevards and public places and then to permit the destruction of the beauty it has created by idiosyncrasies of abutting property owners is a waste of public moneys.

The only thoroughly effective instrument for protecting such public investments and for correlating city land into its most usable forms is the power of excess condemnation vested in city governments.

Whatever recoupment may be received from the re-sale of property so acquired is but an incident in the exercise of this power for public purposes.

Even though there be no recoupment, there is a substantial financial advantage in the ability to acquire whole parcels and thus escape the payment of damages for the destruction of the usability of a parcel.

Wherever the highest courts of a state have broadly interpreted what constitutes a public use, the power of excess condemnation can probably be acquired by more legislative enactment. In some states where courts have been particularly broad-minded, cities may secure such power by merely undertaking the condemnation of adjacent property and

¹ This provision was adopted on September 3, 1912.

carrying suits against such taking to the highest courts.

In most states, however, where the courts have given narrow interpretations to what constitutes a public use, the safest plan of procedure is by amendment of the state constitution. The Supreme Court of the United States in several important cases has fairly clearly indicated that such constitutional enactments would not be declared void under the constitution of the United States.

With the widened scope of condemnation and its increased use for social purposes the method of condemnation becomes of very great importance. Movements to secure the grant of excess condemnation ought also attempt the correction of abuses in existing condemnation methods or attempt to secure a simpler, more direct and less dilatory and expensive method.

As excess condemnation and other condemnation have a great bearing upon city planning, we have appended to this report a short paper by the Hon. Edward M. Bassett on the necessity within reasonable time limits of preventing the erection of buildings within street lines for the purpose of securing damages when the title to such streets actually vests in the city.¹

These conclusions were arrived at in a meeting held in New York City on May 24, 1912, and are concurred in by the following members of the committee: Robert S. Binkerd, Chairman, Lawson Purdy, Edward M. Bassett, Nelson P. Lewis, Herbert S. Swan.

THE CHAIR: We will now hear the discussion of "Effective Housing Campaigns," by Mr. John Ihlder, of New York, field secretary of the National Housing Association, and Doctor Dana W. Bartlett of this city.²

¹ This will be published in a future number of the NATIONAL MUNICIPAL REVIEW in which the whole subject of excess condemnation will be considered at length—C. R. W.

² See article "Housing at Los Angeles," NATIONAL MUNICIPAL REVIEW, vol. II, p. 68.

THE CHAIR: I now have the pleasure of introducing Dr. Ernest S. Bradford, of Washington, D. C., the author of one of the few works on commission government, who will read a paper on "Commission Government and City Planning."³

BANQUET

Wednesday evening, July 10, 1912, 7 p.m.

A banquet was tendered the members and delegates at Hotel Alexandria with Meyer Lissner, Esq., of Los Angeles presiding, who introduced the Hon. William Dudley Foulke as toastmaster. Mr. Foulke also responded to the toast "The National Municipal League." He spoke at considerable length with regard to the importance of the establishment of the merit system in municipal affairs especially along the lines indicated in the report and addresses before the League. He also referred at length to the participation of women in municipal affairs, especially through the vote. In concluding he said:

"Your rate of growth has been far greater than that of any of our eastern cities, your percentage of growth greater than any of our eastern cities of considerable size. That is a wonderful thing; and you can see that growth is a healthy growth. There are no slums here in Los Angeles; there are no vast tenement house districts where people are herded together like cattle. You have a condition of morality in this city that is reasonably high. That means a great deal, but it does not mean everything, because it was right here in Los Angeles that you reached the most critical point in that conflict which seems to be going on in our community between those that have inherited the world's wine and honey and those who make up the great masses of the people; between the capitalistic class and the laborers of the country. It was here that the

³ Dr. Bradford's paper was published in full in *The American City*, for August 1912.

conflict which seems to be coming, which seems to be growing and gathering everywhere, reached its first decisive point in that dreadful crime which has been the horror of the world, and yet which today we cannot entirely say whether the causes which led to it do not give it a sort of justification which mere venal crimes for the sake of purely selfish things do not have. That has excited the abhorrence of America. We all of us agree a crime of that kind should be punished in a severe way, and yet at the same time that is one of the great questions that is before us, and it is before us in a municipal sense just as it is before us in a national and in a state sense. We find on the one side fortunes that are accumulated beyond all dream of avarice for past times, fortunes that have arisen to the hundreds of millions, acquired frequently by fraudulent means, by the oppression of communities, by means which are a little less than criminal, even though they may evade the provisions of the criminal law. On the other side there is a great mass of humanity who find that their wages do not grow, although the cost of subsistence does grow; who find that their condition is not very much better in spite of the enormously increased amount of wealth that is acquired by the whole community. That condition is fraught with great danger for the future, and that is a danger which we ought to try to foresee. We must try to foresee it in the cities as well as in the states and in the nation. We must not let the conditions of affairs reach that crisis which it reached at the French Revolution. There you had the special privileged class; the sovereign himself and the nobles throughout the Empire, with their noble chateaus all through the kingdom, and on the other side you had the people clamoring for bread, and a man upon the throne, amiable, honest, well-meaning, desiring to do right, but not knowing that it was loaded, not knowing that there was a precipice towards which all those things must tend. We must be wise in time,

and our municipalities as well as our states must take care, must see to it that the great ranks of the disinherited are well provided for, and the opportunities of living well. Not that equality of possessions is ever to be attained—it is not; while equality of intellect does not exist, but equality of opportunity should be given to the young men and the young women, no matter how low the conditions in which they have been reared. (Applause.) In the first place, they should have the opportunity to have strong and healthy bodies. (Applause.) Their lives should not be stunted by child labor (applause), nor by residence in city slums. They should have the chance for the cultivation of the sound mind in a sound body; they should be given an opportunity to embark upon the great struggle of life with a fair chance of success. I believe in individuality. I believe in individual efforts, but at the same time you have got to give them a fair start, and that is the duty of the city. The city must see to that. My friends, that will be the next step that we will have to struggle for. That is part of the struggle now, city efficiency in government, and that the government shall not hesitate to take under its protecting care those weaker classes of the community that cannot so well take care of themselves. Then there will be other questions that will arise in the future, questions that we cannot foresee at the present time. The course of reform never reaches its full consummation."

After Mr. Foulke's address he spoke of the regret all felt at the inability of Mrs. Crane who had been announced as one of the speakers, to be present, and then introduced Professor Albert Bushnell Hart of Harvard who responded to the toast "Work" with a humorous application of many of the thoughts that had been advanced during the formal sessions of the League.

Mrs. Andrew C. Lobinger, president of the Women's Club of Los Angeles responded to the toast "Los Angeles," in which she set forth the glories and

achievements of that interesting city. She was followed by Mr. F. S. Spence of Toronto, Canada, on "Reciprocity in Municipalities," Mr. Robert S. Binkerd of New York on "Simplicity in Municipal Affairs," and Mrs. Owen Wister on "The East," who in the course of her remarks said :

"I think I must begin by saying that the National Municipal League came out of the east. (Laughter and applause.) We are very glad to share it with you. We are very glad to share all of the good things that we have with you except perhaps the Betsy Ross house and those other relics which have become sacred to the whole of the American people and which we think must remain where they are. But will you allow me to say to Mrs. Lobinger that while we are very glad to share with you the National Municipal League and other things we fully intend to keep our own part. As a matter of history it might be interesting to some of you to hear about the very first meeting of the League. With the exception of Mr. Woodruff, I believe I am the only person present who attended that first meeting in Philadelphia in 1894. I was at all of the sessions. I remember those meetings so well, though I have been to many conventions since that time and many meetings which have slipped from my mind, but the Municipal League was presenting to municipalities a great, and what was then a new, idea; and one does not forget it. I can remember the little room in which we met, hardly more than one-half the size of this banquet hall, I think; and I can remember the mottoes over the door: 'National Parties for National Affairs—Municipal Parties for Municipal Affairs.' And, ladies and gentlemen, that was heresy in the city of Philadelphia in the year 1894, and we who were participating in that meeting were looked upon as heretics, and perhaps as not entirely sane heretics. We were told how foolish we were and how foolish it was to cling to a visionary thought. The following of Matthew Stanley Quay said, 'Don't you see that

municipal government is an indispensable and integral part of the national government? It is the foundation of our party politics, and American cities can never part with it.' That was in 1894, and in 1912 in our city, which is a large city and a hard city to govern because it is large, and because it is what is sometimes called, a very conservative city, we have elected an independent mayor upon a third party ticket (applause), and we believe we have in Rudolph Blankenburg one of the best mayors who ever governed an American municipality. That is what the National Municipal League did for our city when it came to us in those years ago. That is the reason we believe so fully that it will do the same thing for every American community which will listen to its message.

"The League has a large support in the affiliated women clubs of the east. We have many, many civic clubs in the east, all the way along the Atlantic Coast from Maine to Charleston, splendid civic clubs, women who are working and aiding this National Municipal League in the great service which it is rendering the cause of good government, and the American Civic Association, although we have not been so fortunate as the women of California in the recognition that has been shown them here. I remember at that early meeting Mrs. E. B. Kirkbride of Philadelphia as the founder and the leader of the leagues of good citizenship among our school children—I remember at that first meeting hearing this little lady say, 'Woman is standing at the door, she is opening the door and looking in.' The fortunate citizens of this community have stood by a door that swings a little more easily, that does not have to be knocked at quite so often or so loud or so long. Nevertheless, that same door is slowly opening and throughout our country it is certainly only a question of time when all the women will enjoy the privileges of citizenship enjoyed by you here." (Applause.)

The banquet was concluded with a brilliant address by Chester H. Rowell,

editor of the *Fresno Republican* and vice-president of the National Municipal League, on "Government by Newspapers."

THURSDAY MORNING SESSION

Thursday, July 11, 1912, 10 a.m.

PRESIDENT FOULKE in the chair

The first paper upon the program is upon "The Work of the League of California Municipalities," by H. A. Mason, secretary of that League.¹

THE PRESIDENT: The next is a subject upon which the state of California, and particularly Los Angeles, can perhaps instruct the rest of the country more than any other, and that is "The Actual Operation of the Initiative, Referendum and Recall," by Dr. John R. Haynes, the president of the Direct Legislation League of California, who, of course, needs no introduction to a Los Angeles audience.²

MR. EDWARD L. HEYDECKER, New York: We know that Los Angeles is a most delightful city to come to. We have had many courtesies extended to us, and I beg leave to read the following:

Resolved, that the National Municipal League expresses its warm appreciation of the many courtesies received from its hosts, the Mayor of Los Angeles, the Los Angeles Chamber of Commerce and the Municipal League of Los Angeles, and gratefully acknowledges the hospitalities extended by the members of the Los Angeles Committee on Arrangements and the support and welcome it has received at the hands of the city and its citizens.

Upon motion duly seconded the resolution was unanimously adopted.

THE PRESIDENT: Speaking of bosses, the last subject mentioned by Dr.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 603.

² See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 586.

Haynes you will be delighted to know that the gentleman who was selected to present the paper on this subject, the title of which is, "The Boss' Day in Court," is to be followed by another paper, "The Elimination of the Party Boss in California Cities." It may be that it is in consequence of a fear of that, that I have been instructed to announce that Prof. Albert Bushnell Hart is unavoidably detained by urgent business and has asked his young friend, William Barnes Boies Cox Taggart of Illinois to take his place. Therefore, you will hear from the genuine article of a city boss.

Professor Hart then delivered a brilliant, satirical defence of the boss, which has been published in full in *The Outlook*, for October 26, 1912.

THE PRESIDENT: We will now hear from Chester H. Rowell, editor of the *Fresno Republican* and a vice president of the National Municipal League on "The Elimination of the Party Boss in California Cities."

ELIMINATING CALIFORNIA BOSSES

MR. ROWELL: The little town of Fresno, was the first city of California to eliminate the party by law. One of the first cities in the United States so far as I know. We passed the first non-partisan charter, in which we forbade party tickets of any sort on the ballot, and got a modern system, with the one exception that we didn't have any majority rule in it. At the first election, whoever gets a plurality vote gets the election; and in the three times we have tried it, it gave us a good government twice and a bad government once; and the singular thing about it was, the first time it gave us a bad government, it gave us the elimination of the party boss.

Under the new charter we had, the first time, a non-partisan, an extremely good Democratic mayor, elected over-

whelmingly. The next time we had a three-cornered fight. We elected a Republican mayor, and the political boss proceeded to run him, so we had the bi-partisan boss system, the Democratic boss running a Republican mayor; and the government was spectacular and inefficient. It did not succeed in being as bad as those who ran it wanted it to be, because we had a good system and we have not any party responsibility for the government and when the government was responsible to the people, it did not dare do half the things it had promised to do. By the end of that administration, I do not think anybody in the town, not excepting the mayor and his boss, knew whether the Republicans or the Democrats had a majority of our city council. I do not suppose anybody knew, and everybody had ceased to care, whether the majority of the appointees were Republicans or Democrats, and non-partisanship had got, not only into our government, but into the very hearts of our people; and just a few days ago, the mayor we have now, a very good man, and a Republican, had to appoint a man to a vacancy on the police commission, and he found that he could not appoint the man that he had selected because an old and forgotten bi-partisan provision of the charter forbade the appointment of the commission all of one party and if he had appointed that man his police commission would have been all Democrats. That idea had not occurred to him, although he was a Republican mayor. When you get rid of partisanship in municipal affairs, you get rid of the party boss, and ultimately you get rid of every sort of boss.

The city of Sacramento has been an interesting and recent example. Sacramento has had party bosses, two of them; one Republican, and one Democratic, co-operating with the most admirable system of harmony. That lasted until a few weeks ago when they got a new charter which eliminated the old bosses and the old system. In the first

election they had under the new charter, they elected a new sort of people and elected a government that is bound to be a good government, and even Sacramento has redeemed itself. Evidently the mechanism of the government is something.

The system of getting rid of the party boss here in Los Angeles was started first in an effort to elect a non-partisan school board, and that non-partisan school board was elected. That campaign led to various other matters, among them, a non-partisan effort to get possession of the city and county council; and the first time you tried it, you got possession of one of them, but not of the other. The recall, in due time, gave possession of both. Then, out of that non-partisan organization in Los Angeles, and out of various other things—but out of that, more than anything else, finally came a partisan organization which reformed the state, and out of that reform of a party in the state, is now coming a non-partisan organization that seems to be splitting that party all over the United States. So you started here in Los Angeles in order to get a non-partisan school board and now it has grown until it has spread all over the United States, and made a new sort of governmental standard in the United States.

In the city of San Jose is an interesting example of another sort of reform. San Jose for a long time was horribly boss ridden, and it had the unique distinction of being the only city in California where the center of machine rule was in the school department. Out of the school machine of San Jose ran the ramifications that ran the political school machine of California. Wherever you had machine politics in the school system of any city in California, you found it went straight back to the city of San Jose; and there was a magnificent, fine city, the same sort of city it is now, with the same sort of people that are in it now, and yet, some way or other, that fine city, with those fine people,

stood for that bad government in that city; and, worst of all that sort of thing which good people ordinarily do not stand for, machine politics in the school system. That machine got reformed by another principle,—by the personal efforts of two men, one of whom is now in congress, and the other of whom wants to be governor, and who believed thoroughly in the sort of reform San Jose needed just then. They did not believe in stealing, they did not believe in drinking. They had all the personal Sunday school virtues themselves, and believed in imposing those virtues upon others. I mean the Hayes brothers, Red and Black, we call them sometimes, by way of distinction. They proceeded, by personal, political and business influence, to over-throw that machine in San Jose and establish a sort of boss rule. And now, some of the people are rising against that sort of a boss rule.

The name of San Jose has rather an unique position in the cities of California of having been personally reformed by men whose ideas were limited, as I said, largely to the Sunday school virtues; because at the time one of these brothers was very efficiently and usefully reforming the city of San Jose, he was also carrying on political deals with the man who was deforming the city organization of San Francisco.

The history of the party boss in San Francisco, and of the whole political upheaval in its government is, in some ways, one of the most interesting and one of the most tragic of which I know. They had for a long time the non-partisan system and non-partisan spirit in San Francisco. That is, the two parties would nominate candidates and the decent citizenship of San Francisco would announce that, "while we have to use the party machinery to nominate, we do not care whether the candidate is a Republican or Democrat; we will organize in favor of whichever is the decenter," and usually the Democrat was the decenter, and usually the Democrat was elected in a city which is not Democrat-

ic; which is over-whelmingly Republican; and the party leaders of the Republicans said, each time, "Yes, we stand for it this time, but we will not stand for it any more;" and there was a constant "kicking," because they said, "Non-partisanship there means a Democrat in office;" and then there was a cry about the division of the patronage, and altogether, it took more patriotism than is usually available, for people to help non-partisanship in San Francisco, when the Democratic candidate usually won by it and the Democratic subordinates usually had the patronage. Then came the long Ruef era, which I will not go into now. Then came again a non-partisanship era, and it happens that the mayor is a Republican and neither Republicans nor Democrats care whether he is a Republican or not; and, having had a good deal to do with the local politics of San Francisco, I realize now that the election of the non-partisan, by non-partisan mechanism, has produced real non-partisanship in the hearts of everybody.

The actual mechanism is really worth while. You eliminate the party boss by eliminating the parties from the cities, and then you go through various other evolutions, and among them is the development, in the place of the party boss, of the other sort of boss; of that boss who does nothing but good, and who is worthy of your admiration. You have been accused of having that sort of a boss here in Los Angeles, and if the accusations are true, that Mr. Lissner is boss of the town, it has been the development of the highest and best type of patriotic boss that can exist; and is an interesting example of a step in the evolution from a boss government toward a final government by the people. A very important and necessary, but not a permanent stage. But after people have got rid of the old methods of leadership, there is a stage towards the new one, in which they still need some sort of leadership, organization and leadership from above and for their benefit, and finally

reaches to them and comes back a good system but not quite the best; and one of the reasons it is not quite the best is, that it requires a higher degree of unselfishness and devotion to the public than you can permanently expect. You happen to have them here in this city. You happen to have a good many of the right men in this city; but you can't have it permanently, from this more or less centralized leadership that seems to follow the boss system. It seems to me that the people will have to be better organized to do their own governing and develop leadership from below upwards, just as the boss system did, when the boss reaches the control of his district and whoever is able to deliver that district will be the boss in that district. It seems to me, the best leadership will have to come from the development of our various civic clubs, which represent our various interests; the city club, representing all our interests, and the civic club, the federated clubs, representing geographical divisions, and the labor unions; and I think the labor unions can be made very useful civic organizations, even in Los Angeles. But, with these various organizations, the people can organize themselves gradually into larger and larger evolutions, until the time comes that the political organization of the people is able to develop good and intelligent political leadership at all times. Then you will have reached the final stage of popular government, and then you will have had all the virtues of the boss system, just so eloquently enumerated to you by a representative of it, and none of its faults; and it seems to me that California is now in process of evolution toward that system.

THE PRESIDENT: We have two more papers this morning, and one of them upon a subject which has excited general attention all over the country, which is, "The Actual Operation of Woman Suffrage in Pacific Coast Cities." I have the pleasure of introducing a lady who can speak upon this subject with

authority, Mrs. Charles Farwell Edson, of Los Angeles, the Chairman of the Political Equality League of California, and a member of the Council of The National Municipal League.¹

THE PRESIDENT: We will now have the last paper of the morning, upon the subject of "Socialism in California Municipalities," by Dr. Ira B. Cross, of Stanford University, Assistant Professor of Economics and author of "Essentials of Socialism."²

FRIDAY MORNING SESSION

Friday, July 12, 1912; 10 a.m.

PRESIDENT FOULKE in the chair

DR. WILCOX: Before commencing I would like to take a referendum, being a great believer in popular government. I want to know first how many there are in this audience who are generally familiar with the street railway settlements of Chicago and Cleveland? Will you please raise your hands? (A few hands raised.) How many are there who are not generally familiar with the street railway settlements of Chicago and Cleveland? (Many hands raised.) I have here a paper it will take about twenty-five minutes to read. I thought if you were familiar in a general way with the situation I would throw the paper in the wastebasket and make a speech of perhaps fifteen or twenty minutes; but I think under the circumstances I will proceed to read it.

Dr. Wilcox then read his paper entitled "Street Railway Franchises."³

THE PRESIDENT: The next paper will be by a gentleman who has cooperated with Dr. Wilcox on the committee on public utilities, J. W. S. Peters of Kansas City, the president of the Kansas City City Club.

¹ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 620.

² See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 611.

³ See NATIONAL MUNICIPAL REVIEW, vol. 1, p. 630.

MR. PETERS: I feel encouraged in presenting this paper in Los Angeles rather than elsewhere, the first reason being that it is more or less of a novelty and if it is good as a novelty the Los Angeles people will be inclined to adopt it. If it is not good as a novelty they will have a sufficient knowledge not to adopt it and put it into practical operation.

Mr. Peters then read his paper on "A Suggested Sliding Scale of Dividends for Street Railways Determined by Equality of Service."¹

THE PRESIDENT: We now proceed to the most important subject of all; that is, the discussion of the proposed charter for Los Angeles, and Dr. John R. Haynes, the chairman of the charter commission will preside and see to the proper conduct of the discussion.

Dr. Haynes took the chair.

THE CHAIR: On behalf of the people of Los Angeles and of the members of the board of freeholders of Los Angeles and of myself I wish to express our keen appreciation of the privilege that is ours today of being aided by this great national body of experts who for many years have been studying the details of municipal government throughout the United States. All those who have met personally the gentlemen connected with this organization will remember the forceful and genial president whose knowledge and progressive ideas, and whose erudition is such that from his tongue there fall as gently and easily the cadences of ancient Rome as falls dew upon still water upon the shadowy current of the gleaming past. And as far as the secretary of this organization is concerned, he who has devoted so much time and gray matter to the conduct of this organization for so many years, what can I say about him, excepting

that his ability is only equaled by his overwhelming humility and his shrinking modesty?

The charter commission of Los Angeles prepared the following twenty-seven questions for submission to the group of experts brought together by the National Municipal League:

Assuming that the city of Los Angeles is to adopt the commission form of government with such modifications as local conditions make necessary—

1. What number of commissioners should the city elect?
2. Should the entire commission be elected for the same period, or should there be a partial renewal at each election, with overlapping terms?
3. Should the commissioners be elected to specific posts, with a mayor elected as such, or should they be elected simply as commissioners and assigned to their places—(a) By the mayor? (b) By the commission?
4. Should bureau heads in the several departments be appointed by the several commissioners absolutely, or subject to confirmation by the commission, or should they be named by the civil service board?
5. Should subordinate city officials having general jurisdiction, such as city treasurer, be chosen by the commission, or appointed by the mayor, subject to confirmation by the commission, or named by the civil service board?
6. Should the auditor or controller be elected by the people, or appointed by the mayor, subject to confirmation by the commission or chosen by the commission or by the civil service board?
7. If there be a separate controller, not a member of the commission, and if there be a commissioner of finance who is a member of the commission, which of those officers should prepare the budget?
8. What permanent provisions should be made respecting the budget?
9. Should the city attorney be elected by the people or appointed by the mayor, subject to confirmation by the commission, or chosen by the commission, or named by the civil service board?
10. Assuming that the departments of (1) public works, (2) public service (water supply), (3) harbor and transportation and (4) public welfare (health, garbage collection and disposal, etc.), each require the services of a high-class engineer

¹See NATIONAL MUNICIPAL REVIEW, vol. II, p. 31.

should these engineers act independently in their respective departments or as a board of engineers?

11. Should garbage collection and disposal be under the commissioner of public works or in the health department?

12. Should the bureau of efficiency be under the controller or under the civil service board?

13. Should the civil service board be subject only to the recall, or should its members be removable by a large majority, say three-fourths, of the commissioners?

14. Should heads of departments have the right of summary removal of subordinates, without recourse, for stated cause?

15. Is it safe, under the protection of direct legislation and the recall, to enact a charter provision for indeterminate franchises?

16. If indeterminate franchises are authorized, what is the minimum time limit on the right to purchase?

17. Is a maximum time limit consistent with the indeterminate franchise?

18. If a minimum limit of five years is fixed, what bonus, if any, should be allowed to the company?

19. What requirements should be made as to amortization, maintenance, betterments and depreciation?

20. Should franchises be sold, or should the city receive a percentage of the net or gross receipts?

21. Should interurban railways, owning their own right of way, be put on

the same basis as to franchises as steam railways?

22. Is the borough system indispensable in a city covering a large area?

23. Is the school system properly a function of the modern municipality?

24. Is a system of cumulative or preferential voting or proportional representation practicable in a large city?

25. Is the statement of powers granted in the second draft of the proposed charter of Los Angeles sufficiently inclusive?

26. Is paragraph (43) of Sec. 47 of the second draft of the proposed Los Angeles charter an adequate provision for comprehensive city planning?

27. Should the public library be placed under the jurisdiction of a single commissioner, or governed by an independent board appointed by the mayor and confirmed by the commission, or named by the civil service board?

These questions were taken up one by one and the opinion of each expert given. The result was most interesting and was described at length by John J. Hamilton, the secretary of the board of freeholders in a report to that body. This was published in full in the October issue of the *NATIONAL MUNICIPAL REVIEW*.¹

CLINTON ROGERS WOODRUFF,
Secretary.

THE FEDERAL GOVERNMENT AS A POTENTIAL CONTRIBUTOR TO MUNICIPAL ADVANCE- MENT

The astounding growth of our urban centers is one of the most remarkable developments of our generation and renders it imperative that more serious efforts be made to effect the solution of the many problems which have arisen as a direct consequence. In numerous instances local efforts have yielded splendid results, but the time is now at hand for launching a great coöperative movement for municipal betterment. An unusual opportunity for developing such a movement is offered through the Panama-Pacific International Exposi-

tion, one of the principal objects of which will be to present, in exhibit form, a record of achievement in all lines of social endeavor.

Last March I had the honor of submitting to the exposition company a proposal for a comprehensive municipal exhibit which has since been broadened so as to include all the departments of social economy.² Briefly stated, the project has for its object the thorough coöperative study of the many pressing community problems now confronting us, and the presentation of the results obtained and the conclusions deduced

¹See *NATIONAL MUNICIPAL REVIEW*, vol. 1, p. 650.

² The general plans have recently been adopted by the exposition company which is about to make public its classification.

at the exposition. The exhibits would consist of models, diagrams, apparatus and appliances, photographs, motion films, maps, charts, reports, etc. To indicate more specifically the range of the subjects it is proposed to cover the following topics included in the classification are given: Study and investigation of social and economic conditions; Movement, composition and characteristics of population; Economic resources and organizations; Eugenics; Hygiene, including state and municipal hygiene; Labor; Banking; Insurance, including social insurance; Coöperative institutions, including rural credit systems; Housing; Liquor, drug and tobacco habits; Charities; Criminology and penology; Preparation and enactment of legislation; Nomination and election systems; Municipal statistics; Municipal organization, including the relation between the municipality and the state; City planning and city beautification; Recreation; Public service and its regulation, including the work of the state public service commissions; Municipal laboratories; Public safety.

The principal features of the plan submitted are:

1. The arrangement of the exhibit material, as far as practicable, in accordance with the topics treated, and not as heretofore according to the source, so as to make it possible to present each subject in the most logical and intelligible manner and to facilitate the comparison of different methods of attaining the same result. At the same time, most of the otherwise endless and wearisome duplication would be eliminated.

2. The coöperation of the American and foreign nations, states, and municipalities, in furnishing exhibit material along the many lines in which they are active.

3. The coöperation of the national and local civic and sociological organizations.

4. The coöperation of the federal government in providing the necessary funds for the publication of reports on

the principal topics to be illustrated. The benefits of the exhibit would thereby be extended to the whole country and at the same time the results would be made permanently available.

These reports would correspond to the bulletins of the Agricultural Department which make known to the farmer the results of investigations concerning the particular problems in which he is interested. For that admittedly important work, the annual appropriations now exceed \$17,000,000. The problems which particularly concern the public as a whole are admittedly equally deserving of federal recognition, and it must be recognized that they are just as technical in character as those confronting the farmer and consequently that they also require for their solution specially trained experts, and men of the broadest experience.

The awakening of public interest in sociological matters is strongly evidenced by the rapid increase, in number and in membership, of the national and local civic sociological organizations, by the numerous articles appearing in the magazines and in the public press, and by the interest in local exhibits dealing with particular phases of social welfare work. It seems, therefore, that the time is particularly auspicious for a broad undertaking of the character proposed.¹

The general plan has received the endorsement of the National Conference on City Planning, the governing boards of the American Civic Association and the National Municipal League and the approval of many officials of the United States government and of individuals interested in sociological matters. The Panama-Pacific International Exposition Company fully recognizes its opportunities and has agreed to coöperate in every way.

The merits which may be claimed for

¹ Also by the prominence accorded to some of the problems in the platforms and campaign speeches of all parties during the recent presidential campaign.

the project lie, not only in the exhibit itself and in the topical reports proposed, but more especially in securing fuller federal and state recognition of the many problems with which organized society is confronted. Above all, the exhibit can, as stated above, be made the basis for the development of a nation-wide movement for a better city, a better state, and a better country.

An unusual opportunity is obviously afforded the federal government in lending its all-powerful aid to the project, not only to assist in bringing about a clearer understanding, and an ultimate solution of the many present day prob-

lems, and thus making a preëminent contribution to general welfare, but also at the same time to promote a coöperative movement of unusual promise, binding together nations, states, municipalities, organizations, institutions and individuals, all working for civic and social betterment.

The national government is besides directly interested in the municipal problem, as it administers the affairs of our national capital through committees of the house and senate, and a board of commissioners appointed by the president, the right of suffrage being denied the citizens of the District of Columbia.

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The editor has prepared a detailed index to Volume I of the NATIONAL MUNICIPAL REVIEW which will be sent on application to members of the National Municipal League and subscribers who desire it.

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